

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

ROBBIE KEETON GEIGER, as Administratrix
Of the Estate of Ricky Keith Keeton, Deceased;
DELISHA KEETON MOONEY, and
MEGAN ARCHER

PLAINTIFFS

VS.

CAUSE NO. 1:16-CV95-SA-DAS

MONROE COUNTY, MISSISSIPPI
and ERIC SLOAN

DEFENDANTS

VIDEOTAPED DEPOSITION OF FORMER SHERIFF CECIL CANTRELL

TAKEN AT THE INSTANCE OF THE PLAINTIFFS
AT THE HOME OF FORMER SHERIFF CECIL CANTRELL,
30390 CENTRAL GROVE ROAD, ABERDEEN, MISSISSIPPI
ON JANUARY 18, 2022, BEGINNING AT 9:57 A.M.

GENA MATTISON GLENN, CSR 1568
Glenn-Henry Reporting
Post Office Box 492
Amory, Mississippi 38821-0492
gena.glenn@gmail.com
(662) 315-8612



1 APPEARANCES:

2 WAIDE & ASSOCIATES
3 P.O. Box 1357
4 Tupelo, MS 38802-1357
 For the Plaintiff
 BY: JIM D. WAIDE

5 JACKS GRIFFITH LUCIANO
6 P.O. Drawer 1209
 Cleveland, MS 38732-1209
 BY: JAMIE F. LEE

7
8 ALSO PRESENT: MR. EDDIE NABORS, Videographer

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Reported by: GENA MATTISON GLENN, CSR 1568
 GLENN-HENRY REPORTING

TABLE OF CONTENTS

WITNESS PAGE

FORMER SHERIFF CECIL CANTRELL

Examination by Mr. Jim D. Waide 5

Examination by Ms. Jamie F. Lee 133

Examination by Mr. Jim D. Waide 138

DEFENDANT'S

EXHIBIT

NO. DESCRIPTION PAGE

*D-1 Sloan Statement 23

*D-13 Petition for Forfeiture 78

*D-14 Answer to Petition for Forfeiture 78

*D-15 Agreed Order 78

PLAINTIFF'S

EXHIBIT

NO. DESCRIPTION PAGE

*P-34 Photo 66

*P-29 Newspaper Article 101

*P-16 Copy of Check 123

*P-6 Warrant 151

* Exhibits not provided to reporter to
be attached to the transcript

1 THE VIDEOGRAPHER: This is the
2 deposition of Cecil Cantrell, taken in the
3 matter of Robbie Keeton Geiger, as
4 Administratrix of the Estate of Ricky Keith
5 Keeton, Deceased, Delisha Keeton Mooney,
6 and Megan Archer versus Monroe County,
7 Mississippi, Eric Sloan; United States
8 District Court for the Northern District of
9 Mississippi, Aberdeen Division, Cause
10 Number 1:16CV95-SA-DAS.

09:58:53

11 Today's date is January 18, 2022. The
12 time on the monitor is 9:57.

13 Will the attorneys please introduce
14 themselves on audio.

15 MR. WAIDE: Jim Waide for the
16 plaintiffs.

17 MS. LEE: Jamie Lee for the
18 defendants.

19 THE VIDEOGRAPHER: We'd ask the
20 reporter to administer the oath, please.

09:59:13

21
22 CECIL CANTRELL,
23 being first duly sworn, was examined
24 and testified under oath as follows:
25

EXAMINATION

BY MR. WAIDE:

Q. Would you state your name, please, sir.

A. Cecil Cantrell.

MS. LEE: Mr. Waide, before we get going -- I know this is a video deposition. Are we going to be on the record as this is a trial deposition, and any objections we need to go ahead and make --

MR. WAIDE: That's what I would think.

MS. LEE: -- this morning? Okay. That's --

MR. WAIDE: I believe -- I believe we ought to just go ahead and make objections now so there won't be any question and we'll have a chance to cure any deficient questions, so....

MS. LEE: Very good.

MR. WAIDE: Okay.

BY MR. WAIDE:

Q. Mr. Cantrell, you're a former justice court judge and a former sheriff of Monroe County; is that correct?

A. Yes, sir.

1 Q. What years were you justice court
2 judge?

3 A. From '79 to 2004.

4 Q. What are the educational requirements
5 to be a justice court judge?

6 A. Well, there used to not be any, but
7 they passed a law that you had to have a high
8 school education.

9 Q. And you were sheriff of Monroe County
10 for -- from what years?

11 A. 2012 to 2019.

12 Q. And so you were -- you were elected
13 for two terms as sheriff?

14 A. Yes, sir.

15 Q. All right. Would your first -- first
16 time you were elected to sheriff been in the
17 fall of 2015? That would be the --

18 A. No, 2012.

19 Q. I'm sorry, 2012.

10:00:46 20 A. Would be in the fall of 2011 and took
21 office 1-1 of 2012.

22 Q. All right. So your first term would
23 have ended -- your first term would have ended
24 when?

25 A. 2015.

1 Q. All right. The death of Ricky Keeton
2 occurred on or about October 28th, 2015; is that
3 correct?

4 A. Yes, sir. I think so, yes, sir.

5 Q. All right. Would that have been just
6 a few days before the general election?

7 A. Just a few days, yes, sir.

8 Q. First -- the -- the general election
9 is in November, the first Tuesday in November?

10:01:23 10 A. Yes, sir.

11 Q. Are you the person who appointed Eric
12 Sloan as head of the narcotics unit?

13 A. Yes, sir. I guess I was, yes, sir.

14 Q. And Tony Coxey worked under Mr. Sloan
15 as a narcotics officer as of October of 2015?

16 A. Yes, sir.

17 Q. As the sheriff would you have been the
18 final policy maker so far as law enforcement is
19 concerned in Monroe County?

10:02:13 20 MS. LEE: Object to the form of the
21 question.

22 A. We had a procedural -- you know, we
23 had our -- a procedure manual that we went by.

24 BY MR. WAIDE:

25 Q. All right. Were you the top law

1 enforcement officer for Monroe County?

2 A. Yes, sir.

3 Q. And did you have authority over Sloan?

4 A. Yes, sir.

5 Q. Did you have authority to make
6 decisions regarding use of force?

7 MS. LEE: Object to the form of the
8 question.

9 MR. WAIDE: I'll rephrase the
10 question. I don't -- I think this is an
11 adverse witness and he can be asked leading
12 questions, if that's the nature of your
13 objection; but just so there won't be any
14 question about it, I'll make it non- --
15 I'll make it nonleading.

16 BY MR. WAIDE:

17 Q. Would you tell the jury whether or not
18 you had the authority to make the final law
19 enforcement decisions for Monroe County?

10:03:03 20 A. Yes, sir, I did.

21 MS. LEE: Object to the form.

22 A. Yes, sir. I guess -- yes, sir, I
23 guess I did. Yes, sir.

24 MS. LEE: My objection is to the
25 vagueness of the question. The final --

1 MR. WAIDE: All right.

2 MS. LEE: -- use of force decisions
3 for Monroe County I don't think is clear.
4 It's -- it's vague and ambiguous.

5 MR. WAIDE: Okay. I'll rephrase it,
6 then.

7 BY MR. WAIDE:

8 Q. Who had -- who in Monroe County had
9 the final word as far as law enforcement matters
10 were concerned for Monroe County, Mississippi?
11 Who had that authority?

12 A. The sheriff.

13 MS. LEE: Same objection.

14 A. Me.

15 BY MR. WAIDE:

16 Q. Did you have the authority to tell
17 Deputy Sloan whether he could or could not carry
18 out a no-knock search? Would that have been
19 within your authority?

10:03:58 20 MS. LEE: Object to the form of the
21 question.

22 A. Well, you know, a warrant like that's
23 left up to the judge. After being a judge for
24 24 years, the judge would make that decision,
25 not --

1 BY MR. WAIDE:

2 Q. I see.

3 A. Not the -- not the sheriff.

4 Q. Okay. Does the judge make that
5 decision based on information furnished him by
6 the deputies?

7 A. Yes, sir. Yes, sir.

8 Q. What -- what would the judge base it
9 on other than what deputy sheriffs told him?

10:04:28 10 A. I -- I'm not sure. I don't understand
11 your question. I don't understand what you're
12 trying to say.

13 Q. Okay. In this particular case, do you
14 know of any information the judge had other than
15 what deputies of Monroe County gave him?

16 A. I don't know of any, no, sir.

17 Q. In this particular case -- well, let
18 -- let me ask a little bit different question.

19 Who were the deputies that actually
10:05:02 20 went up to the house and confronted Ricky Keeton
21 or ultimately shot Ricky Keeton? Who were the
22 deputies that did that?

23 MS. LEE: I'm going to object to the
24 form of the question. You can answer if
25 you understand the question.

1 BY MR. WAIDE:

2 Q. Do you know -- do you know what
3 deputies actually went up to Ricky Keeton's
4 house?

5 MS. LEE: Are you talking about on the
6 -- October --

7 MR. WAIDE: Yeah.

8 MS. LEE: -- 28, 2015?

9 A. You talking about on the night that
10 the search warrant was --

11 BY MR. WAIDE:

12 Q. Yeah. Right. Who actually went up
13 there and --

14 A. It would be Eric Sloan, Officer Coxey,
15 Sam Mitchell, John Bishop, David Mitchell, and
16 -- I can't think of the other guy's name. He's
17 -- he -- there's one other -- one other deputy
18 up there.

19 Q. Would be approximately six deputies?

10:06:01 20 A. Yes, sir.

21 Q. That actually went up to the house?

22 A. Yes, sir. I believe so, yes, sir.

23 Q. And you -- you were located some
24 distance away at a fence at the time that the
25 shooting occurred. Am I correct?

1 A. Actually, when we came in I was in my
2 vehicle. I was the third vehicle back. And we
3 was just trying to, you know, see what -- you
4 know, just kindly seeing if anybody was trying
5 to leave or anything and -- but there wasn't,
6 you know.

7 Q. Yeah. Here's my question: You did
8 not actually go up to the house where the
9 deputies executed the no-knock search. Am I
10 correct?

11 A. No, sir, I did not.

12 Q. And you were back at a fence that was
13 some distance away is where you stayed. Am I
14 correct?

15 A. Yes, sir.

16 Q. And there were a number of other
17 deputies that stayed back with you. Am I
18 correct?

19 A. Yes, sir. Well, they were in their
20 vehicles, so we were sitting -- it was very cold
21 that night. We was sitting in a vehicle.

22 Q. And am I correct in saying that you
23 learned about the shooting when you heard them
24 announce "shots fired" over the radio? Is that
25 how you learned about it?

1 A. They said, "Shots fired, need an
2 ambulance."

3 Q. Yeah. Is that how you heard about it?

4 A. Yes, sir.

5 Q. Is that the only way you learned about
6 it, you heard it over the radio?

7 A. Yes, sir. We were inside our
8 vehicles.

9 Q. So you couldn't actually hear the
10 shots.

10:07:16

11 A. No, sir.

12 Q. Now, Sheriff, was it your practice to
13 go on all of the no-knock searches? Although
14 you may not have gone up to the house, did you
15 go with the deputies on all the no-knock
16 searches?

17 A. Well, like I say, you know, the
18 no-knock search warrants is left up to the
19 judge. And most of the search warrants were of
20 narcotic nature. So I don't know what the judge
21 decided about no-knock warrants.

10:07:40

22 Q. Well, let's -- let's put it this way:
23 On all of the -- on all of the searches -- let's
24 leave off the "no-knock." Did you -- did you
25 accompany -- you may not have gone up to the

1 house where the break-in would occur or -- or
2 whether -- whatever they did at the house, but
3 did you personally attend, go with them out to
4 the area on all the searches?

5 MS. LEE: I'd object to the form and
6 move to strike the characterization of the
7 break-in of the house.

8 MR. WAIDE: All right.

9 A. I don't understand that.

10:08:11 10 BY MR. WAIDE:

11 Q. I don't understand it either, so let
12 -- let me ask you a little different way.

13 Did -- did you personally accompany
14 the deputies on all narcotics searches? Did you
15 go on all of them?

16 A. Not all but a lot.

17 Q. How did you decide whether you went on
18 a search or you did not go?

19 A. Well, you know, I can be out of town.
10:08:30 20 I might have -- could be sick. Just a lot --
21 just a lot of scenarios.

22 Q. All right. Have you read Mr. Sloan's
23 deposition?

24 A. No, sir.

25 Q. Let's assume for the sake of argument

1 that he said he had conducted hundreds of -- of
2 no-knock searches. Do you have -- you have any
3 way of knowing whether that's correct or not?

4 MS. LEE: I'm going to object to the
5 form, object to the hearsay within the
6 question.

7 A. I -- I can't answer it. I don't -- I
8 can't -- I don't -- give an honest answer, I
9 don't under- --

10:08:56 10 BY MR. WAIDE:

11 Q. Okay.

12 A. I don't know how he could say that. I
13 mean, but he's been in law enforcement before he
14 worked at the sheriff's department, so I'm sure
15 he did a lot. I don't think how many. I
16 wouldn't think hundreds, but -- you know, that's
17 a lot of search warrants.

18 Q. You earlier indicated that it was just
19 up to the judge about whether it was a no-knock
10:09:17 20 search. Have you ever known that a judge -- a
21 judge -- the judge involved in this case was
22 Judge Fowlkes, correct?

23 A. Yes, sir.

24 Q. Are you aware of any occasion when a
25 no-knock search has been requested from Judge

1 Fowlkes and he refused it?

2 A. I don't -- I -- I couldn't answer
3 that. I don't know. I wasn't there. I don't
4 know. I don't --

5 Q. Are you -- are you aware -- are you --
6 are you aware of any case where Judge Fowlkes
7 has refused to issue any search warrant that's
8 been requested of him?

9 A. I'm not aware of that.

10:09:47 10 Q. You had earlier indicated a justice
11 court judge has a high school education?

12 A. Yes, sir.

13 Q. Have you found that a judge like Judge
14 Fowlkes pretty much does what law enforcement
15 asks him to do?

16 MS. LEE: Object to the form of the
17 question.

18 A. I can't answer that. I don't -- I
19 don't know.

10:10:00 20 BY MR. WAIDE:

21 Q. Have you ever known of Judge Fowlkes
22 to refuse any law enforcement officer request?

23 MS. LEE: Object to the form of the --

24 A. I don't know that.

25 MS. LEE: -- question. Vague and

1 open.

2 BY MR. WAIDE:

3 Q. You worked with -- you worked as
4 sheriff while Judge Fowlkes was justice court
5 judge for eight years?

6 A. Yes, sir.

7 Q. Did you know Judge Fowlkes before
8 that?

9 A. Yes, sir.

10:10:18 10 Q. Was he a judge at the same time you
11 were a judge?

12 A. Yes, sir.

13 Q. How many years do -- did y'all work
14 together as judge?

15 A. Actually four years.

16 Q. All right. So you worked with him
17 either as judge or sheriff for 12 years?

18 A. Approximately, yes, sir.

19 Q. Am I correct in saying you have never
10:10:33 20 -- you cannot recount any occasion where he
21 refused a request made by law enforcement?

22 A. I can't answer for him. I don't know
23 that.

24 Q. I know. But from working with him,
25 you're not aware of any.

1 A. I'm not -- I don't know. I can't
2 answer that and -- I -- you'd have to ask Judge
3 Fowlkes that question.

4 Q. When you were justice court judge, did
5 you ever refuse a request made by law
6 enforcement?

7 MS. LEE: I'm going to object to --

8 MR. WAIDE: Well --

9 MS. LEE: -- the form, object to the
10 vague nature of the question, but you can
11 answer.

12 A. You know, when the sheriff comes and,
13 you know, he asks for a search warrant, or a
14 deputy or whatever, I mean, you have to -- you
15 know, you look at the facts and circumstances,
16 whatever. Usually drug dealing, you know, it's
17 -- they usually have weapons. It's a dangerous
18 situation. I mean....

19 BY MR. WAIDE:

10:11:21 20 Q. Here was my question: Have -- did you
21 as a judge ever refuse to issue a warrant which
22 law enforcement officer requested?

23 A. Didn't issue that many, but I don't
24 know for -- to give you an honest answer, I
25 can't answer that because I -- I don't recall.

1 Q. Okay. The officers that you just
2 named awhile ago as going up to the house, what
3 -- except for the two narcotics officers, Sloan
4 and Coxey, were they all members of the SWAT
5 team?

6 A. Yes, sir.

7 Q. Is it the practice among the SWAT team
8 to always use no-knock searches?

9 A. I can't answer that because I don't --
10 I wasn't there when they got this warrant. I
11 mean --

12 Q. Okay. As the sheriff of Monroe
13 County, do you ever -- are you aware of any
14 occasion when the SWAT team has carried out a
15 search but it was not a no-knock search; they
16 just knocked on the door and waited for the
17 homeowner to come? Are you aware of that
18 happening?

19 A. I'm not aware of that.

10:12:42 20 Q. So far as you know, all searches
21 carried out by the SWAT team were no-knock
22 searches. Am I correct?

23 A. I -- I don't -- I -- you'll have to
24 ask the judge that question. I don't know how
25 the judge answered --

1 Q. All right. Well, the judge is -- we
2 understand the judge is not there when the
3 search goes on, right?

4 A. Yeah, but he's there -- he -- he makes
5 the decision whether it's a no-knock or not.

6 Q. Well, here's what I want to -- well,
7 first, the judge is not actually on the scene
8 when the search is carried out, is he?

9 A. No, sir.

10:13:07 10 Q. Are you aware, as the sheriff of
11 Monroe County, Mississippi, or former sheriff of
12 Monroe, are you aware of any occasion where the
13 Monroe County SWAT team has ever carried out a
14 search that was not a no-knock search?

15 MS. LEE: Object to the form of the
16 question. Vague and open-ended.

17 A. I can't answer that and -- and give
18 you an honest answer because I don't know.

19 BY MR. WAIDE:

10:13:27 20 Q. All right. Well, they're your
21 deputies. They work under you, correct?

22 A. Yes, sir.

23 Q. And on a lot of the searches, you
24 accompany them, right?

25 A. Yes, sir.

1 Q. What is the alternative -- have you
2 ever -- strike that.

3 It is possible or conceivable for
4 deputies to go to the door and knock on a house
5 and give the homeowner time to come to the door.
6 They could do that, couldn't they?

7 A. Yes, sir.

8 MS. LEE: Object to the hypothetical.

9 BY MR. WAIDE:

10:13:56 10 Q. You are aware of -- of the ability, if
11 they wanted to do it, of ability of deputies to
12 make a controlled buy when they arrest a drug
13 person, aren't you?

14 A. Yes, sir.

15 Q. Describe what that is. What is a
16 controlled buy?

17 A. Well, basically you use a CI, a
18 confidential informant. You use somebody, and
19 you usually put video on them; and, you know,
10:14:24 20 they make a hand-to-hand buy, and you have it on
21 video so you can show the -- you know, show the
22 court, when you go to court, the evidence.

23 Q. So y'all had videos where you were
24 capable of just videoing what went on there?
25 Y'all had cameras that would do that?

1 MS. LEE: Object to the form of the
2 question.

3 A. No, sir. We -- no, sir, we did not.

4 BY MR. WAIDE:

5 Q. Well, how did -- how did you do that
6 when you made --

7 A. Well, we had --

8 Q. -- those controlled buys?

9 A. -- video cameras like you set up on a
10 -- a confidential informant or somebody that's
11 going to work for you. You know, they wore
12 cameras. And we -- you know, we -- we did have
13 some deputies that, you know, would make buys
14 from, you know, drug dealers. But we tried to
15 get some video if we could.

16 Q. Who was the confidential informant
17 involved in the Keeton case?

18 A. I -- I -- I -- I --

19 Q. Was it Terry Parker?

10:15:27 20 A. I have heard his name several times,
21 but I'm not -- I'm not for sure. You'd have to
22 ask -- you'd have to ask the narcotics agents
23 that question.

24 Q. All right. The narcotics agents --
25 one of the narcotics agents called you to tell

1 you they were going on the search, right?

2 A. Yes, sir.

3 Q. Have you ever looked at Sloan's
4 statement?

5 A. Not in depth. I -- I glanced over it
6 one or two times, but not in depth, no, sir.

7 Q. From looking at the statement, are you
8 aware of whether he actually called for the SWAT
9 team to come at the same time as he stopped
10 Parker? He called right there from the scene?

10:16:03

11 MS. LEE: Object to the form. Object
12 to the --

13 A. I --

14 MS. LEE: -- lay the -- no foundation
15 laid for the statement, and object to the
16 statement generally as hearsay.

17 BY MR. WAIDE:

18 Q. All right. I'm going to show you --

19 A. I'm not -- I'm not aware of that.

20 I --

21

22 - - - - -

23 (Exhibit D-1 premarked for identification.)

24 BY MR. WAIDE:

25 Q. All right. Well, let me show you.

1 I'm going to refer you to -- it's been premarked
2 for identification as Defense Exhibit 1, and ask
3 you -- I made a little mark down in the -- on
4 the side of the page where -- where he called
5 the -- John Michael Lay of the SWAT team?

6 MS. LEE: Okay. Oh, continuing
7 objection to the statement for all the
8 reasons just stated in my previous
9 objection, but....

10:16:46 10 BY MR. WAIDE:

11 Q. You see I made a little mark on the
12 right to where he makes a reference to calling
13 John Michael Lay of the SWAT team?

14 A. Yes, sir, I see that. Yes, sir. I do
15 see that.

16 Q. Okay. So you agree that at least
17 assuming what Sloan said in his statement is
18 true, that at the same time he stopped Parker,
19 he called from the scene and called for the head
10:17:10 20 of the SWAT team to come and do the search. Am
21 I correct?

22 MS. LEE: Object to the form of the
23 question. Object to the witness testifying
24 about a statement he has not had the
25 opportunity to read, and a marked portion

1 only. But with that, you can answer.

2 A. Well, I wasn't aware of that. I was
3 -- I don't know. I can't answer that and give
4 you an honest answer. I don't know.

5 BY MR. WAIDE:

6 Q. All right. You -- Well, you don't
7 know whether -- whether Sloan would be telling
8 the truth about that, you mean?

9 A. I don't know.

10:17:39 10 Q. Okay. Well, that's -- based on
11 Sloan's statement, based on Exhibit D-1, would
12 you agree that he did, in fact, call the head --

13 A. That's what it looks like. That's
14 what it --

15 Q. That's what Sloan said.

16 A. That's what it --

17 MS. LEE: Same objection.

18 A. That's what it says here.

19 BY MR. WAIDE:

10:17:52 20 Q. That's what Sloan says.

21 A. Evidently, because it's written here.
22 I guess -- I guess that's his statement, I
23 guess.

24 Q. So do you agree with me, then, that so
25 far as Sloan was concerned, by calling the SWAT

1 team and knowing that the SWAT team only does no
2 knock searches, that at the very time he talked
3 to Parker, or the confidential informant out on
4 the scene, at that very time he made the
5 decision that there was going to be a no-knock
6 search?

7 MS. LEE: Same objection.

8 A. I'm not aware of that.

9 BY MR. WAIDE:

10:18:20 10 Q. Well, how -- that's what the
11 statement --

12 A. At that -- at that point there was no
13 search warrant even -- even given at that --
14 they didn't have a search -- they couldn't have
15 had a search warrant then.

16 Q. Right.

17 A. So I -- I mean, and like I say, that
18 goes back to the judge deciding whether it's a
19 no-knock warrant or not.

10:18:37 20 Q. All right. Does the statement say
21 that he called the head of SWAT team --

22 A. Yes.

23 Q. -- from the scene? Is that what the
24 statement says?

25 A. Well, apparently.

1 MS. LEE: Same objection.

2 A. Apparently.

3 BY MR. WAIDE:

4 Q. Right?

5 A. Yeah. I think so. Yeah, that's what
6 it says.

7 Q. So does the statement say, then, that
8 he was arranging for the SWAT team to make the
9 search from the scene when Parker was stopped?
10 Is that what -- that's what Sloan's statement
11 says?

12 MS. LEE: Same objection.

13 A. Evidently.

14 BY MR. WAIDE:

15 Q. Do you agree that's true?

16 MS. LEE: Object to the form of the
17 question.

18 A. I don't know. I can't -- I -- I --
19 you would have to ask them them questions
20 because I don't know.

21 BY MR. WAIDE:

22 Q. Do you have -- do you have any reason
23 to dispute what's in Sloan's statement?

24 A. I don't know why I would.

25 Q. Right. You don't know of anything

1 contrary to what's in his statement, correct?

2 A. No, sir.

3 Q. Okay. Now, so that -- it appears --
4 if you -- or tell me whether you agree with me
5 or not, that the initial decision, then, to
6 carry out a no-knock search was apparently made
7 by Sloan rather than yourself. Am I correct?

8 MS. LEE: I'm going to object to this
9 -- this entire line of questioning. There
10 is nothing in the statement that says
11 anything about a no-knock search warrant,
12 and you keep asking the witness about
13 whether this equates to a no-knock search
14 warrant, and that's not what's in the
15 statement.

16 BY MR. WAIDE:

17 Q. Yeah, but I -- I thought you earlier
18 -- didn't -- didn't you -- didn't you say
19 earlier that the SWAT team only does no knock
20 searches?

21 MS. LEE: Object to the -- object to
22 that question. That was not the witness's
23 testimony --

24 A. If I did I was wrong. If I'm -- you
25 know, a lot of times, these questions, you get

1 -- you -- a lot of questions it's over and over.

2 And, you know, I'm -- I may -- I don't know.

3 BY MR. WAIDE:

4 Q. Okay.

5 A. I can't answer that. I don't know.

6 Q. Okay. Well, do you remember which --
7 was it one of the narcotics officers that called
8 you to tell you about the search?

9 A. Yes, sir.

10:20:29 10 Q. Either Sloan or Coxey, one or the
11 other? Is that what you remember?

12 A. Yes, sir.

13 Q. Okay. Did you discuss with the
14 no-knock -- I'm sorry. Did you discuss with
15 either Sloan or Coxey your relationship with
16 Ricky Keeton? Did you have any discussion with
17 them about that?

18 A. I don't understand your question.

19 Q. Did you talk with them about whether
10:20:59 20 you knew Ricky Keeton?

21 A. No, sir.

22 Q. Y'all never had any discussion about
23 it?

24 A. No, sir.

25 Q. Could you say from the search warrant

1 that it was Ricky Keeton that was going to be
2 searched?

3 A. I -- I didn't -- I didn't know really
4 who they were searching. I didn't know.

5 Q. So you didn't look at the search
6 warrant?

7 A. Well, they had the search warrant; and
8 they do it, you know, all the time. No, sir,
9 I -- that -- when they de- -- briefed us, they
10 said it was going to be at Keeton's premises.

11 Q. At Ricky Keeton's?

12 A. Yes, sir.

13 Q. All right. Am I correct in saying
14 that you had a number of family connections with
15 Keeton?

16 A. No, sir, I didn't have any family
17 connections with Keeton.

18 Q. Well, you had a number of your
19 deputies that were connected with his family, or
20 several of your deputies, correct?

21 A. No, sir.

22 Q. All right. Did you have a deputy
23 named Ronald Minga?

24 A. Yes, sir.

25 Q. And was Ronald Minga at the time

1 living with Ricky's sister?

2 A. Yes, sir.

3 Q. And what is her name?

4 A. I don't know.

5 Q. Debbie Lollar, correct?

6 A. Ms. Debbie, yeah.

7 Q. Ms. Debbie Lollar, yeah.

8 In fact, after -- after the deputies

9 had killed Mr. Keeton, you went out the first

10:22:13 10 thing the next morning to notify Ms. Lollar, did
11 you not? You went to her house.

12 MS. LEE: Objection to the form. Move
13 to strike the characterization of deputies
14 killing Mr. Keeton.

15 MR. WAIDE: Strike --

16 BY MR. WAIDE:

17 Q. Do you -- do you deny that the
18 deputies killed Mr. Keeton, Sheriff?

19 MS. LEE: Object to the form. Move to
10:22:26 20 strike the statement "deputies killed Mr.
21 Keeton."

22 A. Well, Mr. Keeton came to the door with
23 a gun.

24 BY MR. WAIDE:

25 Q. Okay. I understand that.

1 A. And --

2 Q. My question is did the deputies --

3 MS. LEE: And let him finish.

4 MR. WAIDE: Okay.

5 MS. LEE: Please.

6 BY MR. WAIDE:

7 Q. Oh, go ahead.

8 A. Mr. Keeton, according to what the
9 deputies say -- and this is hearsay because I

10:22:42 10 wasn't around there. I don't know.

11 Q. All right.

12 A. But I do know that he came to the door
13 with a gun, I mean, and was shooting at them;
14 and they shot back.

15 Q. Well, we'll get into the facts of it
16 in a little bit, but --

17 A. Okay.

18 Q. -- what I'm asking you --

19 A. All right.

10:22:53 20 Q. -- right now is --

21 A. Okay.

22 Q. -- Debbie --

23 A. Okay.

24 Q. -- Lollar. Did you go out to Debbie
25 Lollar's house the next morning to express your

1 condolences?

2 A. Yes, sir, I did.

3 Q. And how close of friends -- how --
4 what was the relationship between you and
5 Mr. Minga, the fellow that she was living with?

6 A. Well, I went to high school with him.
7 He was, like, a year or two behind me in high
8 school.

9 Q. Y'all were close friends, weren't you?

10:23:18 10 A. No, sir, not close friends but -- we
11 were friends but not close friends. No, sir.
12 We were --

13 Q. All right.

14 A. We were friends, you know, but not
15 close friends, no, sir.

16 Q. All right. Well, I'm going to get
17 into that a little bit more, but --

18 A. Okay.

19 Q. -- you had -- you related in your
10:23:30 20 deposition how you had just bought a lawn mower
21 from him?

22 A. No, sir, I -- wait a minute. Yes,
23 sir, I did buy a used mower from him. Yes, sir.

24 Q. And you also knew Debbie Lollar's
25 daughter, April Bryant? Do you remember talking

1 about her when you were talking to the family?

2 A. April Bryant. I don't recall that.

3 Q. Okay. Now, you had an -- a retired
4 highway patrolman and a -- a retired Highway
5 Patrolman who worked for you for a time as a --
6 as an auxiliary deputy named Robert Weaver, did
7 you not?

8 A. Robert Weaver has never been a Highway
9 Patrolman.

10:24:08 10 Q. He was not? Was he -- was he your
11 auxiliary deputy?

12 A. Robert Weaver?

13 Q. Yes, sir.

14 A. Yes, sir, he did -- he did work as an
15 auxiliary as a volunteer, yes, sir, sometimes.
16 Yes, sir, he did.

17 Q. And isn't it true that approximately
18 11 months or so before Mr. Keeton was killed,
19 you had bought a trailer by talking to Robert
10:24:33 20 Weaver?

21 A. Yeah. Robert --

22 MS. LEE: Object to the form. Move
23 to --

24

25 THE WITNESS: I'm sorry.

1 MS. LEE: -- strike the
2 characterization of killing Mr. Keeton.

3 MR. WAIDE: Strike -- I don't quite
4 understand this. Are -- is somebody
5 denying that the deputies killed
6 Mr. Keeton?

7 MS. LEE: I'm not denying that
8 Mr. Keeton was shot after shooting at the
9 deputies, but I'm objecting to the
10 characterization of the deputies killing
11 Mr. Keeton.

12 MR. WAIDE: I see.

13 THE WITNESS: Okay. All right. Do
14 you want me to answer it about Mr. Weaver?

15 MS. LEE: Yes, sir.

16 BY MR. WAIDE:

17 Q. Yeah. We were trying to talk about
18 Mr. Weaver and the --

19 A. Okay. Mr. --

20 Q. -- and the trailer that you bought.

21 A. Mr. Weaver, the way he made his
22 living -- he didn't have a regular job. And he
23 basically traded a lot. And I saw him one day
24 at the sheriff's office; and I said, If you run
25 across a used trailer, I would like to have it.

1 A horse trailer, because I had some horses at
2 the time. And he said, I -- I -- I think I've
3 got what you need.

4 And he brought it over here, and it
5 was just -- it was really rough. And I give him
6 4- or 500. I don't remember. I wrote him a
7 check. And then I found out later, after those
8 girls, Geigers or whatever -- they found the
9 check and thought me and Mr. Ricky were friends.

10:25:45 10 But me and Mr. Ricky, we hadn't had
11 any -- any dealings as trading or -- I -- I just
12 -- you know, I didn't really know him. I didn't
13 really -- I don't know -- if he walked up out
14 there, I wouldn't have known him. No, sir.

15 Q. Well, we'll get into that in just a
16 minute and your --

17 A. Okay.

18 Q. -- your talking with the family
19 afterwards. Right now I'm talking to you about
10:26:06 20 Mr. Weaver.

21 A. Yes, sir.

22 Q. Initially isn't it true, sir, that
23 you're the one that -- that talked to Mr. Weaver
24 about the trailer; and when you talked to him,
25 you believed it was Ricky Keeton's trailer?

1 A. No, sir. He didn't tell me that. I
2 thought it was his trailer.

3 Q. Where did you first see the trailer?

4 A. When he drove up out here with it.

5 Q. I see. You didn't see it over at
6 somebody else's house and told it was
7 Mr. Keeton's trailer?

8 A. No, sir.

9 Q. Is it not true that for some reason
10:26:31 10 Mr. Keeton did not want to deal with you about
11 the trailer?

12 A. Well --

13 MS. LEE: Object to the form. Lack of
14 foundation.

15 A. -- I don't know about that. I -- I --
16 I don't know.

17 BY MR. WAIDE:

18 Q. Had you and Mr. Keeton had any type of
19 falling out?

10:26:40 20 A. No, sir. I don't -- I did -- like I
21 say, I don't even -- I didn't -- wouldn't even
22 know Ricky Keeton if he walked up out there.

23 Q. Well, that's not what you told the
24 family when y'all talked right after --

25 A. Well --

1 Q. -- the killing, is it?

2 A. Well, let me say this to you: Being
3 sheriff of the county, when we were small, small
4 children, like 6 or 7 years old, we went to
5 Trace Road church. And we became friends
6 because we was in the same Sunday school class.
7 And, you know, when you're childhood friends, I
8 just assume you'd be friends for -- for life;
9 but I never saw Mr. Keeton after -- you know,
10 after, probably, I was 8 or 9 years old.
11 But....

12 Q. So y'all went to church together, and
13 you assumed y'all were friends for life from
14 that?

15 A. Well, I've got -- I guess. I don't --
16 I can't -- I don't know -- I don't -- I guess.
17 I -- I mean, we was acquaintances.

18 Q. All right. After you had gone over to
19 Debbie Lollar's house, and then just a few days
20 later you met with several of Mr. -- or all of
21 Mr. Keeton's daughters, with Debbie Lollar, with
22 -- with -- Ronald Minga --

23 A. No, Mr. Minga wasn't there.

24 Q. He wasn't?

25 A. No, sir. I did meet with his -- his

1 daughters, yes, sir.

2 Q. With Debbie Lollar and her daughter
3 April?

4 A. Okay. I don't know exactly who those
5 daughters were. I knew Mr. and Ms. Geiger. I
6 don't know about the other two ladies, what
7 their names were.

8 Q. And Alan Gurley, the -- the -- the
9 coroner for the county, was there?

10:28:18 10 A. No, sir. Not in there where I was at,
11 no.

12 Q. How many different meetings did
13 y'all --

14 A. One time.

15 Q. Just one time?

16 A. Yes, sir.

17 Q. Well, I assume everybody was pretty
18 upset because this was just a few days after
19 Mr. Keeton was killed, correct?

10:28:34 20 A. Yes, sir. They were upset.

21 Q. And they were wanting to know what
22 happened, basically, correct?

23 A. Yes, sir, but I -- you know, I just --
24 I just told them, you know, I -- I'm very sorry
25 of their loss and -- and just --

1 MS. LEE: Let him finish, please,
2 Mr. Waide.

3 BY MR. WAIDE:

4 Q. All right. Go ahead.

5 A. I just -- I was saying I was very
6 sorry for their loss, that, you know, we hated
7 that this happened, and just was very
8 sympathetic towards them because I think that's
9 the Christian way to be.

10:29:01 10 BY MR. WAIDE:

11 Q. Well, do you remember -- I'll ask you
12 about some specific things that happened at the
13 meeting. Do you remember one of them, one of
14 the daughters, objecting to the fact that you
15 had put in the paper that Mr. Keeton was
16 involved in a drug cartel? Do you remember them
17 saying something to you about that, that you'd
18 put that in the paper?

19 MS. LEE: I'm going to object to the
10:29:23 20 question. I'm going to object to the
21 hearsay within the question. You can
22 answer.

23 MR. WAIDE: It's not admitted for the
24 truthfulness of it. It's admitted to show
25 the relationship with him and the family.

1 MS. LEE: Same objection.

2 BY MR. WAIDE:

3 Q. Is -- is -- do you --

4 THE WITNESS: Do I answer that or --
5 do I answer --

6 BY MR. WAIDE:

7 Q. Yeah. Yeah. Do you remember one of
8 the daughters saying to you, You've put these
9 statements in the paper about my daddy being in
10 a drug cartel with a -- a Mexican drug cartel or
11 something? Do you remember them objecting to --

12 A. Well --

13 Q. -- your saying that?

14 A. -- is it all right for me to tell what
15 I know there?

16 MS. LEE: Yeah. Same objection, but
17 you can answer --

18 MR. WAIDE: Well --

19 MS. LEE: -- Mr. Cantrell.

20 THE WITNESS: Okay.

21 MS. LEE: You can answer. You've
22 asked the question. He can answer the
23 question.

24 MR. WAIDE: I understand.

25 BY MR. WAIDE:

1 Q. But you need to respond to the
2 question. I don't need a speech. I just need
3 you to respond to the question.

4 MS. LEE: He's going to respond to the
5 question.

6 BY MR. WAIDE:

7 Q. The question is --

8 A. Would you --

9 BY MR. WAIDE:

10:29:59 10 Q. -- whether or not they objected or
11 expressed to you being upset, the fact that you
12 made statements to the newspaper about their
13 daddy being in a drug cartel. Do you remember
14 that?

15 A. He was buying drugs from the Mexican
16 cartel.

17 Q. Did they bring that -- okay. And
18 that's what you had put in the paper, wasn't it,
19 sir?

10:30:15 20 A. Yes, sir. Yes, sir.

21 Q. And one of the daughters objected to
22 you and wanted to know, Why are you doing that?
23 Why are you telling the paper that?

24 Do you remember that?

25 MS. LEE: Same objection, but you can

1 answer, Mr. Cantrell.

2 A. I don't recall that.

3 BY MR. WAIDE:

4 Q. They may have, though, correct?

5 A. I don't know. I can't recall.

6 Q. Okay. Do you recall whether, in
7 response to that, you told the daughters, quote,
8 I respect him more than you will ever know,
9 referring to Mr. Keeton?

10:30:36 10 A. Well, I went to -- I went to church
11 with him. I just -- I just -- I -- I had a lot
12 of -- I have a lot of respect for people.

13 Q. My question is -- or did -- do you
14 deny that you told the family that I respect
15 him, meaning Mr. Keeton, a lot more than you'll
16 ever know?

17 A. No, sir. I said that.

18 Q. You did say that.

19 A. Yes, sir. And I -- and I would say it
10:30:56 20 today about anybody because all -- all I can
21 tell you is we -- when we were small, and I -- I
22 know I'm going over it again, we went to church
23 together. And as a Christian -- and I am a
24 Christian, and I'm proud I am -- that I just
25 assumed he'd be a brother in Christ.

1 Q. All right. And then one of the
2 sisters, in response to your making that
3 statement concerning respecting him, one of the
4 sisters said, I knew you were friends.

5 Do you remember one of the sisters
6 saying that?

7 MS. LEE: I'm going to object again to
8 the questions involving hearsay
9 statements --

10:31:27 10 A. I --

11 MS. LEE: -- made about -- one second,
12 Mr. Cantrell --

13 A. I don't know how they could say it --

14 MS. LEE: Mr. Cantrell, let me -- let
15 me object.

16 THE WITNESS: Okay. I'm sorry.

17 MS. LEE: -- to the hearsay statements
18 that Mr. Waide is attempting to backdoor
19 through these questions asked of
20 Mr. Cantrell. These are facts not in
21 evidence, and I -- for those objections I
22 will --

10:31:40 23 MR. WAIDE: A statement has -- to be
24 hearsay, a statement has to be admitted for
25 its truthfulness. This is not admitted for

1 its truthfulness but to show how close Mr.
2 -- the sheriff was to Keeton and the Keeton
3 family.

4 A. I was not --

5 MS. LEE: Same objection.

6 A. I was not close to Mr. Keeton.

7 BY MR. WAIDE:

8 Q. Did you not -- did you not exactly say
9 these words, Sheriff Cantrell, quote, we were
10 closer than friends?

11 A. If you had --

12 Q. Did you say that?

13 A. If you had been there that day, those
14 -- and which I was the only -- them in there.
15 I'm sure they -- I don't know if they taped
16 that. I don't know. I don't know exactly what
17 I said. But, you know, I was trying to console
18 those people. They'd just lost their father.

19 Q. All right. Do --

20 MS. LEE: Let him finish his answer,
21 please.

22 A. That they -- they had just lost their
23 father, and I was just trying to condole those
24 people and -- the best way I knew how. And I --
25 and I -- I did it in a Christian manner. Yes,

1 sir, I did.

2 BY MR. WAIDE:

3 Q. So you --

4 A. And if I said that, if I said that, it
5 would be from a -- a way that -- to try to
6 comfort the family. I mean, I don't know that
7 -- and I evidently didn't do a very good job.

8 Q. Well, my question was did you make the
9 statement, quote, we were closer than friends.

10:32:57 10 A. Hold on a second.

11 Q. Do you need to take a break?

12 A. Hold on just a second. Hold on a
13 second.

14 MR. LEE: Let's take a break.

15 THE WITNESS: No, just -- just give me
16 a minute. I'll be all right. Just give me
17 a minute. I'm used to this, believe me.

18 Okay, go ahead. Go ahead.

19 MR. WAIDE: Well, I don't want -- you
10:33:18 20 know, Sheriff, if --

21 THE WITNESS: No, I'm fine.

22 MR. WAIDE: -- you need to take a
23 break --

24 THE WITNESS: I'm fine.

25 MR. WAIDE: -- we can do it.

1 THE WITNESS: It's just -- it just --
2 I won't go into my health issues, but I've
3 got --

4 MR. WAIDE: Do you want to get some
5 water?

6 A. No, I'm fine. I'm fine. I'm -- here,
7 I've got something right here. Let me get a
8 little drink.

9 BY MR. WAIDE:

10:33:32 10 Q. Sheriff, whatever your rationale was,
11 you did tell the family that y'all were closer
12 than friends?

13 A. I may have had. I don't know for
14 sure.

15 Q. Okay. And you told them truthfully
16 that you knew all of the family. You remember
17 that?

18 A. Well, the only one I knew was Ronald
19 Minga's girlfriend, Ms. Debbie. That's the only
10:34:10 20 one I knew. But, now, when I was small, his
21 daddy would come to church. I'm -- I just
22 remember his father, you know. That's -- but I
23 haven't seen that man in -- I don't guess he's
24 even living. I don't know. I haven't seen him
25 in years.

1 Q. You told him that Ricky's mama and
2 daddy were wonderful friends of yours.

3 A. When I was a little bitty fellow.

4 Q. You didn't tell them that, did you?
5 You just said, They were wonderful friends of
6 mine.

7 A. When -- when -- when I was going to
8 church with Ricky when I was small, children,
9 they would -- you know, they were there with
10 their children, and they seemed like nice
11 people. But, now, I was just a little bitty
12 kid. I don't -- that's not like I had an adult
13 relationship with those people.

14 Q. And you also -- you also made the
15 statement to them that Ricky's sister, Debbie
16 Lollar, was, quote, as good of friend as I've
17 got.

18 A. She -- she was a -- she was a good --
19 a good acquaintance. I --

20 Q. What you told them was she was a good
21 friend.

22 A. Well -- all right. Now, acquaintance,
23 sometimes you say as a friend. Because of
24 Mr. Minga, yeah, she was -- she was -- I just
25 knew her from around town. She worked at a

1 restaurant that we ate lunch there, and I would
2 -- you know, she'd wait on our table, and I was
3 -- that's before she got -- through the years.

4 Q. And then you also told them that
5 Mr. Minga, your deputy, was, quote, one of my
6 very dearest friends.

7 A. Say that again, sir?

8 Q. You also said that Mr. Minga, who she
9 was living with, her boyfriend, was, quote, one
10 of my dearest friends.

11 A. Yes, sir, he was a good friend.

12 Q. You said you love him to death.

13 A. Yes, sir. He's a good guy. He's a
14 fine, fine, fine man.

15 Q. And you said you love him like a
16 brother.

17 A. Mr. Minga?

18 Q. Yes, sir.

19 A. I loved all -- all -- I -- I even --
20 I'll love you, Mr. Waide, like a brother. Does
21 that -- I mean, y'all -- me and you have been
22 friends for -- for whatever, 40 years.

23 Q. Well, Sheriff --

24 A. I mean, I'm just trying to answer it
25 honestly.

1 Q. I'm just trying to talk about the
2 relationship with the Keeton family that you had
3 when we went out and did the search that ended
4 up in Mr. Keeton's death.

5 A. Yes, sir. I'm aware of that, sir.

6 Q. Do you remember one of the sisters
7 asking you -- after you had told them all this
8 about your relationship with family and
9 Mr. Keeton, do you remember -- I guess it was
10:36:57 10 Mr. Keeton's daughters -- one of the daughters
11 asked you, Why did you have to go out there at
12 1:00 o'clock in the morning? Why do you have to
13 wake somebody up at 1:00 o'clock in the morning
14 when you know every -- when you know that you
15 could have a gun in your house?

16 MS. LEE: Object --

17 BY MR. WAIDE:

18 Q. Do you remember one of the daughters
19 asking you that?

10:37:14 20 MS. LEE: Object to the form of the
21 question. Object to the hearsay --

22 MR. WAIDE: That's -- excuse me for
23 interrupting. That is not hearsay.

24 MS. LEE: It is --

25 MR. WAIDE: Hearsay is a statement

1 admitted for the truthfulness of it.

2 BY MR. WAIDE:

3 Q. She asked you the question about why
4 did you have to go out there at 1:00 o'clock in
5 the morning, knowing that people would have --
6 could have a gun in their house, why would you
7 have to do that. Do you remember them asking --

8 MS. LEE: Same objection.

9 BY MR. WAIDE:

10:37:32 10 Q. -- you that question?

11 A: No, sir, I don't -- I don't recall
12 that.

13 Q. Do you recall telling them, I can't
14 answer that?

15 A. I don't recall.

16 Q. Well, that's true, isn't it? You
17 can't answer that.

18 A. I don't -- I don't know. I don't
19 recall that. I'm not saying it's not true. I
10:37:48 20 don't know.

21 Q. Okay. Well, why would you -- why
22 would you -- you've told us about the
23 relationship with friends of Mr. Keeton or
24 Mr. Keeton's family. You've told us about one
25 of your deputies being -- living with his

1 sister.

2 A. Yes, sir.

3 Q. And we had an earlier deposition, not
4 for trial but just an earlier deposition where
5 you said you didn't know anything about
6 Mr. Keeton ever being violent. Do you remember
7 telling us that?

8 A. It's been so many years. I don't --

9 Q. All right.

10:38:15 10 A. I don't --

11 Q. Well, I'll ask you.

12 A. I -- it's just been so many years ago.
13 I mean, we're looking at seven or eight years
14 ago, and -- and I'm going to be very honest with
15 you. I've been -- I've been put to sleep for
16 surgeries during this time and stuff, and it
17 affects your memory.

18 Q. Okay. Well --

19 A. I'm not saying --

10:38:35 20 Q. -- do you know --

21 A. I'm not saying I did or didn't. I
22 don't know, to give you an honest answer.

23 Q. Do you know, can you give us any
24 information that you had that Mr. Keeton was
25 violent other than your testimony that he's a

1 drug dealer? Other than that do you have any --
2 any evidence that Mr. Keeton was violent?

3 A. No, sir.

4 Q. And so you could not answer the
5 question, then, as to why -- what was the
6 necessity of y'all going out there at 1:00
7 o'clock in the morning and doing a no-knock
8 search.

9 A. I don't know if it was a no-knock
10:39:07 10 warrant. I can't answer that. You'll have to
11 ask the narcotics agents. But drug dealers
12 never sleep. They're always -- they're always
13 doing drugs. They stay up for days and weeks at
14 a time.

15 Q. So is that the reason that you went
16 out at 1:00 o'clock in the morning?

17 A. No, sir, that's not the reason.

18 Q. What is the reason?

19 A. Well, they had just recently, that
10:39:30 20 night, made a drug buy off Mr. Keeton because, I
21 mean, he sells drugs. He's slinging drugs all
22 over the county.

23 Q. Wait, excuse me. Just --

24 MS. LEE: Wait. Let him finish,
25 Mr. Waide.

1 BY MR. WIDE:

2 Q. Mr. --

3 MS. LEE: Thank you. Just let him
4 finish.

5 MR. WAIDE: All right.

6 A. He slings drugs all over -- he was
7 slinging drugs all over the county, and we -- we
8 wanted to see if we could, you know -- we -- we
9 don't like drug-dealing in our county.

10:39:51 10 BY MR. WAIDE:

11 Q. Just a couple of follow-ups on that.

12 Other than the confidential informant,
13 Mr. Parker, and your drug agents, Coxey and
14 Sloan, who -- what individual told you he was
15 selling drugs all over the county? Who told you
16 that?

17 A. During -- during the process of all
18 this, over months and months and months of
19 investigations, not only on him but all
10:40:19 20 investigations, his name always come up that he
21 was selling drugs.

22 Q. Here -- here's my question: Who?
23 Who? We know Mr. Parker -- apparently Parker,
24 Sloan, and Coxey made that claim, but who? Who
25 told you, I've been buying drugs from

1 Mr. Keeton?

2 A. I can tell you this. I --

3 Q. No, sir, I'd like to know a name.

4 A. I'm going to give -- you won't let
5 me finish --

6 Q. Yes, sir. Yes, sir.

7 MS. LEE: Thank you. He -- he's
8 entitled to finish his question --

9 MR. WAIDE: Yeah, he is.

10:40:43 10 MS. LEE: -- his answer. Thank you.

11 A. I can't answer that quick.

12 BY MR. WAIDE:

13 Q. Okay, sir.

14 A. Would you state that again, sir?

15 Q. What individual, other than Sloan,
16 Coxey, and the informant, Parker, told you he
17 was selling drugs?

18 A. There was a confidential informant
19 that I know.

10:40:58 20 Q. Named who?

21 A. Dustin Parham.

22 Q. Dustin Parham.

23 A. Uh-huh.

24 Q. Where do we find Mr. Parham?

25 A. Mr. Parham, he lives in Amory.

1 Q. Can you spell that?

2 A. D-U-S-T-I-N P-A-R-H --

3 Q. And when did he tell?

4 MS. LEE: Let him finish his -- he
5 hasn't even finished spelling the name.

6 MR. WAIDE: P-A-R-H-A-M, I believe he
7 said.

8 MS. LEE: He had not finished spelling
9 the name. Now, if you'll let him finish --

10:41:26 10 THE WITNESS: That's correct. That's
11 right.

12 BY MR. WAIDE:

13 Q. When did Mr. Parham tell you that?

14 A. Mr. Parham was on meth. Matter of
15 fact, he was going down to Texas and the Mexico
16 border, meeting with a Mexican cartel, buying
17 drugs for Mr. Keeton, bringing them back to
18 Monroe County. He got a thousand dollars per
19 load to bring it back to Monroe County, Mr.
10:41:52 20 Parham did. Mr. Dustin Parham. Is what he told
21 me.

22 Q. When did he tell you that?

23 A. We had him in jail and he told me
24 that.

25 Q. When?

1 A. I'd have to go back and -- I don't
2 know. Probably a few months after that had
3 happened.

4 Q. After what had happened?

5 A. Mr. Keeton was dead.

6 Q. Oh, you're talking about something
7 that happened after Mr. Keeton was dead.

8 A. Well, after he was deceased, yes, sir.

9 Q. All right. Who told you this before

10:42:19 10 Mr. Keeton was dead?

11 A. I -- I -- I -- I -- nobody told me
12 that, no, sir, other than street talk.

13 Q. Well, when you say street talk,
14 somebody has to speak it. Now you're telling us
15 you had a man named Mr. --

16 A. I --

17 Q. -- Mr. Parham that told you after the
18 fact --

19 A. Street -- on the street, different
10:42:38 20 people say things, and it gets back to law
21 enforcement. Whether or not that's being true
22 or not, I don't know.

23 Q. Are you going to give us a name or
24 not?

25 A. I did.

1 Q. Mr. Parham, after he was already dead,
2 told you that.

3 A. Yes, sir.

4 Q. And who -- but you couldn't name
5 anybody that told you that before he was dead.

6 A. No, sir.

7 Q. Where do we find Mr. Parham?

8 A. He lives in Monroe County, out -- out
9 above Hatley, out there somewhere.

10:43:04 10 Q. He's not in jail? He's in Hatley?

11 A. No, sir. He's reformed. He doesn't
12 do drugs anymore. He's working and going to
13 church.

14 Q. Where -- where does he -- where does
15 he work?

16 A. I don't know.

17 Q. Where does he go to church?

18 A. Christian Chapel.

19 Q. How could we get in touch with him?

10:43:21 20 A. I couldn't answer that, Mr. --
21 Mr. Waide. I don't know. I -- I take that
22 back. He came by out here. He's -- a few weeks
23 ago, months ago. He's a good guy.

24 Q. He came by to see you?

25 A. Yes, sir. Just to say hello. He was

1 -- he -- he -- he straightened his life up.

2 Q. All right. Well, good. He'll make us
3 a good witness if you can find him, then. Can
4 you help us with it in how to find him?

5 A. I -- I will try to.

6 Q. You don't know where he lives?

7 A. No, sir, not -- no, sir, I don't.

8 Q. Do you know any relatives?

9 A. Oh, I knew his daddy. I used to go to

10:43:55 10 church with his daddy.

11 Q. What's his daddy's name?

12 A. Mark Parham.

13 Q. Where does his daddy live?

14 A. Out above Hatley.

15 Q. Do you remember that you went on in
16 the conversation, that the daughters told you
17 that you know that Ricky would never pull a gun
18 on you?

19 A. No, sir, I never --

10:44:34 20 MS. LEE: Object to the form.

21 A. I never said anything --

22 MS. LEE: Hold on --

23 A. -- like that.

24 MS. LEE: -- a second, Mr. Cantrell.

25 Object to the form. I'm again

1 objecting to the hearsay. And you are
2 trying to offer it for the truth of the
3 matter asserted in a way in which you're --
4 because of the way in which you're asking
5 the question: Isn't it true that these
6 daughters said that? That's -- that is --

7 MR. WAIDE: That's not --

8 MS. LEE: -- hearsay and I'm
9 objecting --

10:44:52 10 A. I never --

11 MS. LEE: -- to it because of that.

12 A. I -- I can answer it --

13 MR. WAIDE: It's admitted -- it's
14 admitted for the purpose of showing he knew
15 Mr. Keeton wasn't dangerous.

16 A. I never said anything like that.

17 BY MR. WAIDE:

18 Q. Like what?

19 A. You said something about a gun,
10:45:03 20 pulling a gun. I don't -- I don't recall that.
21 But now -- I don't recall that.

22 Q. Sheriff, as far -- so far as -- as you
23 know, is the -- and I know you're saying, well,
24 the judge decided for some reason. But so far
25 as you know, is the only reason that a no-knock

1 search was done is because Mr. Keeton was a drug
2 dealer? Is that the only reason?

3 A. I don't -- first of all, I don't know
4 if it was a no-knock warrant or not. I can't
5 answer that. You'll have to ask the narcotics
6 agents.

7 Q. Excuse --

8 A. Second --

9 Q. Excuse me for interrupting.

10:45:42 10 MS. LEE: Let him finish.

11 MR. WAIDE: He --

12 MS. LEE: Let him finish.

13 BY MR. WAIDE:

14 Q. Okay. Go ahead.

15 A. Would you ask that question again?

16 Q. Is the only reason -- is the only
17 reason that -- well, first of all, you say you
18 don't know whether it was a no-knock search.
19 Are you saying that you don't know that the
10:45:57 20 deputies went out -- well, strike -- let me
21 strike that.

22 Did you not read the statements that
23 the deputies made about how the search was done?
24 Did you not read that? Did you not read those
25 statements?

1 A. Seems like I did, but I can't remember
2 them. I don't -- I -- I wouldn't -- I can't
3 remember. You know, I can look at it now and
4 see, but I don't remember. That's been years
5 ago.

6 Q. Yeah. Isn't it true that they all
7 said that the way they made the entry was that
8 without knocking, they went out and used a
9 crowbar and a battering ram to break into the
10 door? Is that not what they said?

10:46:29

11 A. I don't know that to be -- I don't
12 know.

13 Q. You read the -- you read their
14 statements, but you don't know whether that's
15 what they said?

16 A. I don't -- I don't recall that. I
17 don't know.

18 Q. You don't recall that that's what they
19 said about how they entered?

10:46:42

20 MS. LEE: I'm going to object. Asked
21 and --

22 A. I don't know --

23 MS. LEE: -- answered. You're
24 badgering --

25 A. -- Mr. --

1 MS. LEE: -- the witness, Mr. Waide.

2 A. -- Mr. Waide.

3 MS. LEE: Let's move on.

4 A. I don't know that.

5 BY MR. WAIDE:

6 Q. You don't know that. How do you think
7 they entered?

8 A. Well, I mean, I -- you know, I don't
9 know -- I don't know how they entered. I wasn't
10 around there. I don't know. I wasn't at the --
11 I -- I didn't see the entry.

12 Q. Had you instructed them on how they
13 were to enter?

14 A. No, sir.

15 Q. Had you ever given them any
16 instructions on when a no-knock warrant was
17 proper or when it would be improper?

18 A. No, sir.

19 Q. Had you ever -- did you go out and
20 look at the trailer after -- after Mr. Keeton
21 was dead? Did you see the trailer?

22 A. Yes, sir.

23 Q. Did you see all the holes in the side
24 of it and in the door?

25 A. There were some holes, yes, sir.

1 Q. Could -- did you surmise from that
2 that they had been shooting through the trailer
3 and through the door?

4 A. I can't answer that. All I can tell
5 you is the door did have some gun -- gun bullet
6 holes in it, yes, sir.

7 Q. Did you ask any of the deputies
8 whether or not they had shot through the trailer
9 and the door?

10:47:44 10 A. No, sir, I did not.

11 Q. Was it obvious to you that they had?

12 A. I don't know that.

13 Q. Had you ever instructed your deputies
14 that once a danger -- you've earlier testified
15 that they told you he had a gun, right?

16 A. The deputies did.

17 Q. Yeah. They told you that.

18 A. Matter of fact, they shot one of
19 deputies.

10:48:00 20 Q. Well, actually, what you saw from the
21 shooting of the deputy, you saw the picture,
22 didn't you, of the deputy that you claim was
23 shot?

24 A. I -- I talked to him that night. I
25 didn't see a picture. Is there a picture?

1 Q. The -- well, we'll show you a picture.
2 The only thing he had was some small area on his
3 -- on his lower part of his leg in two places
4 where it looked like something had hit the
5 bottom of his leg?

6 A. I think in his neck too.

7 Q. He didn't have any evidence of any
8 wounds in his neck, did he, Sheriff?

9 A. Well, he was complaining about it. I
10 just assumed that he did.

11 Q. He complained about an injury to his
12 neck, and you --

13 A. Yeah, I --

14 Q. -- assumed he did?

15 A. His leg and his -- and his neck, I
16 thought he said. He was rubbing his neck. He
17 --

18 Q. Yeah. He -- he jumped off the side of
19 the porch, didn't he?

10:48:44 20 A. Yeah, when Mr. Keeton started shooting
21 at him.

22 Q. You don't have any personal knowledge
23 of that, do you, sir?

24 A. No, sir.

25 Q. In fact, you're aware of the MBI

1 report that all Mr. Keeton had was a pellet gun,
2 right?

3 A. Yes, sir.

4 Q. And the pellet gun only had one pellet
5 missing.

6 A. I don't --

7 Q. Correct?

8 A. I don't know that.

9 Q. But my -- my question was -- well, I
10:49:11 10 tell you what. I'll show you the -- I'll show
11 you the picture of the deputy you're talking
12 about.

13 A. Which would -- that would be --

14 Q. That's Deputy Mitchell?

15 A. Sam Mitchell?

16 Q. Yeah. You've never seen any medical
17 records that indicate he'd been shot, have you?

18 A. No, sir.

19 MR. WAIDE: All right. I move the
10:50:19 20 introduction as Exhibit P-34.

21

22 - - - - -

23 (Exhibit P-34 moved into evidence.)

24 BY MR. WAIDE:

25 Q. Would you pick up that exhibit book

1 right there and turn over to P-34.

2 MR. WAIDE: Do you need a copy of
3 that? Do you have that on your computer?

4 MS. LEE: I do. I do.

5 A. There's not a P-34 in here.

6 BY MR. WAIDE:

7 Q. Let me help you there if I can.

8 A. There's a P-35, but I don't see a 34.

9 Q. Let me see.

10:51:04 10 A. See right there? 35, 36 --

11 Q. Let me look. It may be -- I may have
12 to give you my copy.

13 A. I don't see that.

14 Q. Okay. Well, this a copy, and they
15 maybe didn't put it in there or something.

16 A. There's not one in there.

17 Q. No, it's sure not. You're exactly
18 right. Let me give you my --

19 MS. LEE: Is this it?

10:51:25 20 MR. WAIDE: Yeah. That's it.

21 BY MR. WAIDE:

22 Q. Let me give you my copy. You're
23 right, it's not in that copy.

24 I'm showing you what I'm asking the
25 court to receive as Exhibit P-34, and I'll

1 represent that that purports to be a picture of
2 Deputy Sam Mitchell's leg. See that?

3 A. This here?

4 Q. Yes, sir.

5 A. That's a pretty deep hole, isn't it?

6 Q. Okay. You -- you've referred as deep
7 holes. How many holes do you see there?

8 A. I see a hole here. It looks like it's
9 shot there and there. Is that the -- I don't
10 know how many pictures that is. Is that all the
11 -- is this the same picture as that?

12 Q. I can't answer any questions, Sheriff.
13 I just asked you to look at the pictures.

14 Had you seen those pictures before?

15 A. No, sir.

16 Q. You're not an expert in saying where
17 -- what the -- are you saying where those -- do
18 you have any knowledge about where those
19 indentions in his skin came from?

10:52:27 20 A. No, sir.

21 MS. LEE: Well, you just represented
22 to him that those are --

23 THE WITNESS: Bullet --

24 MS. LEE: -- pictures of Sam
25 Mitchell's leg --

1 MR. WAIDE: Right. I --

2 MR. LEE: -- so I think he can answer
3 the question about whether he has an
4 opinion about whether those are the shots
5 that came from Mr. Keeton's gun that night.

6 MR. WAIDE: Well, excuse me.

7 BY MR. WAIDE:

8 Q. You weren't there that night, correct?

9 MS. LEE: Object to the form. He was
10 present at the premises.

10:52:45

11 A. Where?

12 BY MR. WAIDE:

13 Q. Did --

14 A. Are you talking about at the -- at
15 this house?

16 Q. Yes, sir.

17 A. Yes, sir. I was outside, out there in
18 the car.

19 Q. How far away were you?

10:52:57

20 A. Well, where -- well, they went into
21 the -- under the carport, went to that door on
22 the back like that. And I was, I don't know,
23 75, a hundred feet, maybe.

24 Q. Or 75 or a hundred yards, maybe,
25 right?

1 A. I didn't measure it. I'm going to say
2 probably 75 feet, 80 feet.

3 Q. Well, regardless, you did not see any
4 deputy get shot, did you, Sheriff?

5 A. No, sir.

6 Q. Did you see any medical records
7 indicating any deputy had been shot?

8 A. No, sir.

9 Q. You did see indentions in the side of
10 the trailer, approximately -- over 40 indentions
11 in the side of the trailer?

12 A. Yes, sir.

13 Q. Which -- is it your opinion that those
14 came from gunshots?

15 A. Yes, sir. It looked like it, yes,
16 sir.

17 Q. In your opinion, would those cause
18 shrapnel to come off the trailer, metal shrapnel
19 to come off?

10:53:47 20 MS. LEE: I'm going to object to the
21 form. The witness has -- if the witness --

22 A. I wouldn't know that.

23 MS. LEE: -- understands, he can
24 answer.

25 BY MR. WAIDE:

1 Q. You -- you don't know whether those
2 would cause shrapnel to come off the --

3 A. I -- I wouldn't --

4 Q. -- tin house trailer?

5 A. I wouldn't think so.

6 Q. Why not?

7 A. I just wouldn't. After all my life of
8 hunting and fishing, I just --

9 Q. Okay. Have you -- have you ever been
10:54:03 10 shooting into a metal trailer?

11 A. No, I -- I haven't shot in a metal
12 trailer, no, sir.

13 Q. It appears from those pictures that it
14 was in the back of his leg, correct?

15 A. Well, I don't -- you need -- well, it
16 looks like it's right on the inside of his --
17 right there on his -- above his ankle.

18 Q. In any event, you saw him -- after
19 Mr. Keeton was dead and after the MBI left, he
10:54:33 20 came back out to the scene, did he not?

21 A. No, sir.

22 Q. Sam Mitchell did not?

23 A. I don't know about that. This was --
24 while we was waiting for MBI to get there, he
25 was complaining of where he was hurt. And we --

1 we took him to the -- I didn't take him, but
2 some of the deputies took him to the -- or he
3 went -- he -- I think the -- some of the
4 deputies took him to the hospital, to the ER.

5 Q. Okay. I want to ask this -- I know
6 this is repetitive, Sheriff, but I want to ask
7 it one more time.

8 A. Yes, sir.

9 Q. Other than information that you said
10:55:34 10 you heard about Mr. Keeton being a drug dealer,
11 can you give us any other reason why there would
12 have been a no-knock search as opposed to just
13 knocking on the door and letting Mr. Keeton
14 come?

15 MS. LEE: Objection. Asked and
16 answered, as Plaintiff's counsel had
17 already admitted, but --

18 MR. WAIDE: I'm not sure that he's
19 ever answered.

10:55:52 20 BY MR. WAIDE:

21 Q. Can you give us any other reason?

22 A. All right. That was -- state the
23 question again?

24 Q. Other than the fact that you'd heard
25 on the street or Coxey, Sloan, or Parker had

1 told you that Mr. Keeton was a drug dealer, is
2 there any other reason why there was a no-knock
3 search, to your knowledge?

4 A. I -- I'm not aware of that. I'm not
5 aware. I don't know that. I -- no, sir. I
6 would say no.

7 Q. Gotcha.

8 At any time had you, as the sheriff of
9 Monroe County, ever instructed your deputies
10 that they could not do a no-knock search just
11 because the person they're searching is a drug
12 dealer? Had you ever instructed them to that
13 effect?

14 A. I'm not aware of it. No, sir.

15 Q. You had not ever told them that,
16 correct?

17 A. Well, basic -- basically, coming from
18 -- you know, a situation you get into, you --
19 the judge actually determines whether it's a
20 no-knock warrant or not. And I don't know what
21 the judge determined at any of the -- at any
22 search warrant, not only that one but any of
23 them.

24 Q. All right. So -- so let's forget
25 about the judge for a minute and ask about you

1 personally. Have you ever -- had you ever
2 instructed the deputies, your deputies working
3 under you, specifically that you cannot go out
4 and do a no-knock search on somebody's house
5 just because he's a drug dealer? Had you ever
6 told them that?

7 A. I hadn't told them that.

8 Q. Had you ever instructed your deputies
9 that once a danger -- let's assume there's a
10:57:22 10 pistol pulled on the deputies. Had you ever
11 instructed the deputies that once a danger
12 ceases, you must stop the use of deadly force;
13 you must stop shooting? Had you ever told them
14 that?

15 A. Well, through their training through
16 their academy -- all those were certified police
17 officers that were around there at that time,
18 and which they were seasoned officers. I'm
19 talking about years and years of experience. I
10:57:49 20 guess through their experience and going through
21 the academy, being certified police officers, I
22 guess through their training, that would -- how
23 they would react. I know, you know -- I guess.

24 Q. Okay.

25 A. I mean, that's -- that's the only way

1 I can give you a fair answer, honest answer.

2 Q. What -- what -- are -- did you say
3 that there are approximately 10 indentures into
4 the door, into the outside of the door?

5 MS. LEE: Object to the form. The
6 witness did not testify to any specific
7 number of --

8 A. I -- I'm not aware -- there were some
9 holes there. I don't know how many there were
10 there.

10:58:20

11 BY MR. WAIDE:

12 Q. Holes in the door.

13 A. Yes, sir. There were some holes.

14 Q. What would be the necessity of
15 continuing to shoot into the house after the
16 door was closed?

17 A. I wasn't around there. I couldn't
18 tell you. I don't know.

19 Q. Are you aware of any possible basis,
20 any possible reason why deputies should continue
21 to shoot into the house after the door is
22 closed?

23 A. I -- I don't know that they did. I
24 don't know.

25 Q. I know you don't know that they did.

10:58:35

1 But assuming those bullets indicate they did, do
2 you -- do you know of reason why they should
3 not?

4 A. No, sir, I don't -- I'm not aware of
5 anything.

6 Q. You don't -- once the door is closed,
7 and Mr. Keeton closed the door and somehow
8 managed to get back into the trailer, you're not
9 aware of any reason they should continue to
10 shoot into the trailer --

11 A. I don't know --

12 MS. LEE: Object to the hypothetical.
13 Object to the --

14 A. I don't --

15 MS. LEE: -- witness not being on the
16 scene --

17 A. I can't answer that --

18 MS. LEE: -- and not knowing.

19 A. -- because I don't know if the door
20 was shut or not. I don't know.

21 BY MR. WAIDE:

22 Q. I understand. But assume -- let's
23 assume for the sake of argument that the
24 evidence establishes that it was shut. Do you
25 know of any reason they should continue to shoot

1 into the trailer after that?

2 MS. LEE: Object to the assumption.

3 Object to the hypothetical. Those are my
4 objections.

5 A. Do I -- I can't -- I can't answer the
6 question --

7 BY MR. WAIDE:

8 Q. All right, sir.

9 A. -- and give you an honest answer.

10:59:29 10 Q. All right, sir.

11 MR. WAIDE: How long have we been
12 going?

13 THE VIDEOGRAPHER: Hour 1.

14 MR. WAIDE: Do you need to take a
15 break, Sheriff?

16 THE WITNESS: No, I'm -- I'm -- I --
17 let's just go ahead and try to finish.

18 MR. WAIDE: Well, we can stop and get
19 some water. I've got another area I'm
10:59:48 20 fixing to go into, if you want to. Why
21 don't we do that?

22 THE WITNESS: No, I'm -- I'm fine.
23 Just -- just -- let's go. Let's just keep
24 going if we can.

25 MR. WAIDE: All right.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - - - -

(Exhibits D-13, D-14, and D-15 moved into
evidence.)

BY MR. WAIDE:

Q. I want to show you Exhibit -- these
should be in there -- Exhibits 13, 14, and 15,
the -- the documents concerning the forfeiture
of the property.

11:00:15 All right. Exhibit 13 is a Petition
for Forfeiture. Exhibit 14 is an Agreed Order
for the return of the property. I'm sorry.
Exhibit 14 is the Answer to the Petition for
Forfeiture. And Exhibit 15 is the Agreed Order
for the return of the property.

Could you look at those exhibits and
verify what I just said there, Sheriff? 13, 14
and 15.

11:01:03 A. Apparently, yes, sir. That looks
right.

Q. All right. Sheriff, did -- did you
order the seizure of vehicles, wreckers,
mechanical equipment, and various items of
Mr. Keeton's personal property? Did you tell
your deputies to seize that property?

1 A. Well, basically, when you do a search
2 warrant, if you don't know if anybody's going to
3 be there, you have to kindly guard -- I mean,
4 that was basically to keep anybody else from
5 coming in there and disturbing it and taking it.

6 According to our attorney, our County
7 Attorney -- I had mentioned and talked to him.
8 He said, Go ahead and seize it, and then that
9 way we can always return it, because basically
10 it just protects Mr. Keeton's property.

11:01:48

11 Q. All right. What attorney told you to
12 seize it?

13 A. No -- no attorney told me to seize it,
14 but I read the law. I mean, I.... I mean --

15 Q. On this -- did it -- did some attorney
16 tell you to seize Mr. Keeton's property,
17 Mr. Keeton's property specifically?

18 A. Not that particular night, no, sir.

19 Q. Is it your practice that every time
20 you do a drug raid you seize property of the --
21 of the --

11:02:09

22 A. Not -- not every time, no, sir.

23 Q. How do you decide whether you're going
24 to seize it or not?

25 A. Well, this is the first time anybody

1 was hurt or killed, you know, and -- and we
2 didn't want anybody to come in and take the
3 property.

4 Q. So are you saying the reason you
5 seized the property was to keep anybody from
6 taking it?

7 A. Yes, sir.

8 Q. Who -- who -- did --

9 A. And also, I don't know if you know it
11:02:32 10 or not, but there was some stolen merchandise in
11 the back out there.

12 Q. Do you have any personal knowledge of
13 that, sir?

14 A. Other than they run the serial
15 numbers, and it was stolen from someone in
16 Alabama.

17 MR. WAIDE: All right. I move to
18 strike that. That's all hearsay.

19 BY MR. WAIDE:

11:02:44 20 Q. You -- do you --

21 A. Well, this other -- this other is
22 hearsay too --

23 Q. Do you have a --

24 A. -- basically.

25 Q. Do you have a document showing that?

1 A. No, sir.

2 Q. Do you have any sort of document
3 showing that?

4 A. No, sir, I do not.

5 Q. All right. Let's go back to --

6 MS. LEE: Well, you asked him -- you
7 asked the witness what his personal
8 knowledge was of the -- the nature of the
9 items, and he's told you he knows they were
10 stolen. You asked him.

11:03:01

11 BY MR. WAIDE:

12 Q. All right. Do you know this from any
13 way that -- have you seen a document saying it
14 was stolen?

15 A. No, sir.

16 Q. Who told you it was stolen?

17 A. Some of the deputies. I can't
18 recall --

19 Q. What deputy?

11:03:10

20 A. I can't recall that. I don't know.

21 Q. All right. Did you -- tell us again:
22 Did you order your deputies to take possession
23 of, seize, and carry off a large amount of cars,
24 wreckers, and mechanical equipment, welders and
25 that type of thing from --

1 A. Well, you would assume, for his
2 protection, that we can seize the property. We
3 can always give it back, but to keep anybody
4 from coming in and stealing it. And then
5 therefore -- I mean, we give back a lot of
6 stuff, you know, from drug dealers that --
7 basically that we got off folks, you know.

8 Q. Did you ask any of the family for
9 permission to take his property?

11:03:48 10 A. There wasn't anybody there.

11 Q. Well, they were -- they were there
12 within a day or two, weren't they? Some of them
13 were there that same day.

14 A. I'm not aware of that either. I don't
15 know.

16 Q. Well, you know you talked to his --
17 his sister.

18 A. Yes, sir, I did talk to his sister.

19 Q. All right. There's a list of -- who
11:04:04 20 -- who did you tell to pick up the property?
21 What individual did you tell to seize it?

22 A. I didn't -- I don't know that I told
23 anybody to -- to seize it.

24 Q. Well, you didn't personally go out and
25 load it up, did you?

1 A. No, sir. They called some wreckers
2 and got it. I -- I --

3 Q. Called some wreckers?

4 A. Uh-huh.

5 Q. Was that your --

6 A. I didn't -- they didn't seize much,
7 though, I don't think.

8 Q. Well, we'll get a list of it in just a
9 minute.

11:04:26 10 Did -- did -- did you -- are you
11 saying you did not tell any of your deputies to
12 seize it?

13 A. I'm not sure I -- I don't know if I
14 did or -- or the chief deputy did. I don't
15 know.

16 Q. It was -- did you -- were you aware
17 that they were seizing it?

18 A. I was there all night. I guess. Yes,
19 sir, I guess.

11:04:42 20 Q. How long did it take for y'all to take
21 it all into your possession?

22 A. Not long.

23 Q. Y'all had -- what -- what did you use
24 to seize it with?

25 A. Called a wrecker service.

1 Q. Had a wrecker service come? What
2 wrecker service was that?

3 A. I don't recall.

4 Q. And where did they take it to?

5 A. To the Monroe County sheriff's office.

6 Q. Is this the same day that Mr. Keeton
7 was killed or the next day that y'all did that?

8 A. It was that night.

9 Q. Well, y'all -- the raid was done about
10 1:00 o'clock in the morning, wasn't it?

11 A. Somewhere in that neighborhood.

12 Q. So do you mean it was done the next
13 night, then?

14 A. No, that same -- up in that morning.

15 Q. Before the sun came up, y'all had
16 seized it all?

17 A. Yes, sir. There wasn't much to seize.

18 Q. Well, let's look at the list here.
19 We've got the exhibits in evidence.

11:05:26 20 Here's the Petition. I'd refer you to
21 the Petition.

22 A. I'm sure Narcotics may have done that.
23 I don't know.

24 Q. Well, isn't it true, or do you
25 understand, Sheriff, that once you seize

1 property you are required to file a formal court
2 document called a Petition for Forfeiture to get
3 the court's permission for you to keep the
4 property?

5 A. Oh, yeah. Everything goes in front of
6 the judge.

7 Q. Right. A petition --

8 A. Goes in front of a Circuit Judge.

9 Q. Right. The Petition for Forfeiture is
10 where you ask a Circuit Judge for permission to
11 keep the property, correct?

12 A. Well, you just try to explain to the
13 judge what's going on, and the judge makes that
14 decision.

15 Q. What is a Petition For Forfeiture?

16 A. To let him know what we had.

17 Q. Isn't a Petition For Forfeiture where
18 you ask the judge for permission to keep the
19 property? "Forfeit" means the sheriff's
20 department is going to keep the property, right?

21 A. If it's those kind of circumstances.
22 You -- we -- you -- there's different
23 circumstances on every case. I don't know
24 exactly --

25 Q. The only way you could keep the

1 property, though, is if you proved it was
2 purchased with drug money, correct?

3 A. Basically.

4 Q. And you didn't have any evidence any
5 of that property was purchased with drug money,
6 did you?

7 A. No, sir.

8 Q. Did not.

9 A. I didn't, no, sir.

11:06:39 10 Q. And your claim today is that you were
11 -- the real reason you were keeping it is
12 because you'd killed Mr. Keeton and you didn't
13 want anybody to steal the property?

14 MS. LEE: Object to the form --

15 A. First of all, I --

16 MS. LEE: -- of the question. Move to
17 strike the --

18 A. First of all, I --

19 MS. LEE: -- reference to killing.

11:06:51 20 A. First of all, I didn't kill
21 Mr. Keeton. Mr. Keeton made a bad decision by
22 coming to the door --

23 MS. LEE: Let him finish, Jim.

24 A. -- and shooting at the deputies, and
25 they shot back. And he --

1 BY MR. WAIDE:

2 Q. Well --

3 A. If you -- if you'd have -- you know.

4 Q. Who --

5 MS. LEE: Let him finish his answer,
6 please.

7 A. Mr. Waide, I don't understand what
8 you're trying to establish here about the
9 property. What's that got to do with the --
10 this, the other stuff? I don't understand that.

11:07:13

11 BY MR. WAIDE:

12 Q. We've also filed a suit against the
13 county, Mr. Cantrell, because y'all seized a
14 bunch of his personal property in addition to
15 killing Mr. Keeton.

16 MS. LEE: Object to the form and the
17 -- the --

18 BY MR. WAIDE:

19 Q. My -- my question was --

11:07:26

20 MS. LEE: -- characterization of the
21 killing.

22 BY MR. WAIDE:

23 Q. What do you call what you did to --
24 what the -- what do you call what the sheriff's
25 department of Monroe County did to Mr. Keeton?

1 You don't call it a killing. What do you call
2 it?

3 A. Well, Mr. -- Mr. Keeton came to the
4 door, a known drug dealer in our county; and he
5 started shooting at the deputies.

6 MS. LEE: Let him finish, Mr. Waide.

7 A. And the deputies returned fire.
8 That's all I can tell.

9 BY MR. WAIDE:

11:07:52 10 Q. That's what -- that's what y'all --

11 A. And I wasn't around there. I don't
12 know exactly what happened.

13 Q. All right. Is a Petition For
14 Forfeiture a request --

15 A. Yes, sir.

16 Q. -- that the Circuit Judge allow you to
17 keep the property?

18 A. He makes that decision.

19 Q. Yes, sir. And Monroe County, through
11:08:06 20 its attorney -- let's see who the attorney is --
21 Samuel Griffin, filed a request that y'all keep
22 Mr. Keeton's property, correct? A Petition for
23 Forfeiture.

24 A. He did -- he did do -- he did do -- I
25 think he did, yes, sir.

1 Q. It doesn't say anything about you had
2 kept it for -- because Mr. Keeton had been
3 killed and you wanted to keep it for
4 safekeeping. There's nothing like that in the
5 Petition, is there?

6 A. No, sir.

7 Q. The -- the claim being made is that it
8 was used for drug activity, correct?

9 A. In my opinion I -- I think it was.

11:08:38 10 Q. But you have no evidence of that,
11 correct?

12 A. No, sir, I do not.

13 Q. Okay.

14 A. Those people that don't work and have
15 -- you know, he didn't even --

16 Q. Well --

17 MS. LEE: Let him finish --

18 A. He --

19 MS. LEE: -- Mr. Waide.

11:08:46 20 A. Mr. Waide, he -- he didn't even have a
21 job. That man didn't even work.

22 BY MR. WAIDE:

23 Q. I thought you said you didn't know
24 Mr. Keeton.

25 A. Well, I mean, after the fact, and you

1 find out from different people, I -- you know,
2 they said he didn't even --

3 MS. LEE: Let him finish.

4 A. -- work.

5 BY MR. WAIDE:

6 Q. Did he not have a huge -- didn't you
7 observe a -- the one thing that y'all didn't
8 take was a large amount of his mechanic's tools
9 that was located in the shed out there?

11:09:09 10 A. There was a lot of tools.

11 Q. He was working on those -- and he had
12 numerous vehicles out there, didn't he?

13 A. He did have -- he had four or five.

14 Q. And you just said Mr. Weaver does a
15 lot of trading, correct?

16 A. Yes, sir.

17 Q. And didn't Mr. Keeton also do a lot of
18 trading?

19 A. I just assumed that he did. I don't
11:09:24 20 know.

21 Q. And didn't -- didn't his girlfriend
22 have a steady factory job?

23 A. His girlfriend that -- you're talking
24 about Wanda?

25 Q. Yeah.

1 A. Ms. Wanda? Matter of fact, she told
2 me before we got there that night that they had
3 just done meth about 15 or 20 minutes before we
4 got there. And he -- she told me that she knew
5 that we were coming up there because they had
6 video of -- of the cars coming down the
7 driveway.

8 Q. All right. I --

9 A. And she said that he's going -- he's
11:09:53 10 -- he -- she told me -- and I didn't question
11 her. She was shook up. She just started
12 telling everything. She said -- she told me
13 that Mr. Keeton was going to take care of this.
14 He was going to run the law off. That's exactly
15 what she said.

16 Q. Okay. So what she said was that he's
17 going to take -- you understand it's now a
18 pellet pistol he had, correct?

19 A. I do now, yes, sir.

11:10:14 20 Q. And you understand -- you earlier
21 testified it was approximately six deputies,
22 correct?

23 A. Yes, sir.

24 Q. And what were they armed with?

25 A. They had their handguns, and then they

1 had their rifles.

2 Q. They had a -- what size rifle did they
3 have?

4 A. Just .223 ammunition --

5 Q. It's an AR-15, right?

6 A. AR-15s, I would say, yes, sir.

7 Q. And .40-caliber pistol, right?

8 A. Yes, sir.

9 Q. That's a high-powered pistol, correct?

11:10:38 10 A. Yes, sir.

11 Q. Nearly -- nearly as big as a military
12 pistol. Nearly as big as a -- a .45-caliber
13 military pistol.

14 A. Pretty good size, yes, sir.

15 Q. And what you're saying is that she
16 said, We knew these heavily armed deputies were
17 at the house, and Mr. Keeton was going to take
18 his pellet pistol and run them off. Am I
19 correct?

11:10:57 20 A. No. No. She -- he said that I'm
21 going to run them off. I'm going to tell you
22 what I think. I think he was high on drugs, and
23 he come out to -- to scare the deputies with
24 that gun, and he shot at those deputies.

25 Q. Well --

1 A. There's no doubt in my mind.

2 Q. Well --

3 A. Now, I wasn't around there. Hold on
4 just a minute.

5 MR. WAIDE: Why don't we take a break.
6 Let's just take a break. Let's just go off
7 the record a minute.

8 THE WITNESS: You're -- I can't even
9 answer the question.

11:11:18 10 MR. WAIDE: Let's just take a break.

11 THE VIDEOGRAPHER: All right. 11:09,
12 off record.

13 (Brief recess.)

14 THE VIDEOGRAPHER: We're back on
15 record at 11:15.

16 BY MR. WAIDE:

17 Q. Sheriff Cantrell, you had never been
18 around Ricky Keeton when he was doing any drugs,
19 have you?

11:16:55 20 A. No, sir.

21 Q. So you don't have any personal
22 knowledge of how methamphetamine would affect
23 Mr. Keeton, do you?

24 A. No, sir.

25 MR. WAIDE: With that I move to strike

1 his testimony about his opinion about what
2 the methamphetamine was doing to
3 Mr. Keeton. He's not competent to testify
4 to that.

5 MS. LEE: And I assume we'll -- we
6 would --

7 MR. WAIDE: Yeah. The court will have
8 to rule on that.

9 MS. LEE: The court will figure it
10 out.

11:17:20

11 BY MR. WAIDE:

12 Q. Sheriff, we were talking about what
13 property you took or what property the sheriff's
14 department seized.

15 A. Yes, sir.

16 Q. And there's a list of it here, and it
17 looks like a substantial number of older
18 vehicles, correct? That's one item of property?

19 A. Yes, sir, it looks like it. Yes, sir.

11:17:40

20 Q. And it -- and you also took -- there's
21 an item called a Cub Cadet. What is a Cub
22 Cadet?

23 A. That's probably a lawn mower, wasn't
24 it?

25 Q. I don't know. I'm asking because I

1 don't know.

2 A. I would think maybe a lawn mower. I
3 don't know.

4 Q. Well, there's a second one here that
5 says "mower" here, a Hurra- -- I can't read that
6 name. Some other kind of mower, it looks like.

7 It looks like two welders.

8 A. Okay.

9 Q. What do you do with welders?

11:18:21 10 A. Well, I mean, if the court give them
11 to sheriff's department, then at some point we
12 probably would have had an auction or a sale.

13 Q. No, I know, but you earlier said
14 Mr. Keeton wasn't working. Isn't working what
15 you do with welders?

16 A. Well, I don't -- I don't -- I -- I
17 can't answer it. I can't give you an honest
18 answer about that. I don't know.

19 Q. And then it says you took an AH wood
11:18:45 20 trailer. There was apparently a wood trailer
21 out there?

22 A. I don't --

23 Q. Correct?

24 A. If it's on there, I'm sure we probably
25 did.

1 Q. Well, how did y'all decide what to
2 take and -- isn't it -- isn't it -- well, first
3 of all, isn't it true that he had a large number
4 of mechanic's tools in his shed out there?

5 A. Somebody mentioned that.

6 Q. Why didn't you take the tools?

7 A. Just didn't.

8 Q. Just didn't have time to fool with it?

9 A. Just didn't take any tools.

11:19:11 10 Q. That would have been the easiest item
11 to steal, wouldn't it? The tools could have
12 just -- much easier than a vehicle.

13 A. Thieves will steal anything.

14 Q. I see. So you're still saying the
15 reason you took it was to protect it from
16 thieves, correct?

17 A. Basically.

18 Q. Did you -- okay.

19 And then you -- there's -- admit -- it
11:19:33 20 also mentions that you took a camera, cell
21 phone, and a computer, essentially, back here.
22 Now, what --

23 A. It's a video camera --

24 Q. Yeah.

25 A. -- that he was videoing his drive --

1 most drug dealers have video of their driveways
2 and their property.

3 Q. Isn't it true, sir, that Wanda Stegall
4 called you and complained about a theft at her
5 -- several years ago, a theft at her house and
6 tried to get a complaint about the sheriff's
7 department help, and you talked with her about
8 her installing cameras out there several years
9 ago? Isn't that true?

11:20:05 10 A. I don't recall that.

11 Q. Well, where was the camera that you --
12 or how many cameras did you see out there?

13 A. I only saw one.

14 Q. Where was it pointed? What was it
15 taking a picture of?

16 A. Towards the driveway.

17 Q. Towards the driveway?

18 A. Uh-huh. Around the back of the house
19 and driveway.

11:20:22 20 Q. Do you know whether or not -- apart
21 from what you claim Wanda told you, do you know
22 whether or not at night you could see out there
23 on the camera? Could you see that area at
24 night --

25 A. Yes.

1 Q. -- as opposed to daytime?

2 A. Well, you could see people walking
3 back and forth. Yeah, I think you could see
4 pretty good.

5 Q. Didn't you see a number of pictures
6 that were taken with a camera out there? Have
7 you ever seen those pictures?

8 A. Haven't ever seen them.

9 Q. Isn't it true that it shows you can't
10 see anything out there at night with that
11 camera, only during the daytime?

12 MS. LEE: Object. The witness has
13 just said he's never --

14 A. I --

15 MS. LEE: -- saw the pictures.

16 A. I haven't seen them. I don't -- I
17 couldn't answer that.

18 BY MR. WAIDE:

19 Q. All right. Have you told us the --
20 all the basis you had for seizing the property?
21 Is there any other reason for seizing the
22 property other than what you've told us?

23 A. No, sir.

24 Q. And then the judge -- the judge
25 ultimately orders that the property be returned

1 -- strike that.

2 There was an agreed order that the
3 property be returned back to the Keeton family?

4 A. Yes, sir.

5 Q. Except for the -- except for the
6 computer and the cell phone and the cameras,
7 correct?

8 A. I believe that's right, yes, sir.

9 Q. And do you contend that any judge gave
10 you the authority to take that stuff? Did any
11 judge give you the authority to take it?

12 A. No, sir. Not an authority, no, sir.

13 Q. Did any judge enter any order allowing
14 you to take it?

15 A. No, sir.

16 Q. Now, according to this document, and
17 I'll refer you to the exhibit, it looks like
18 this Petition For Forfeiture was filed on
19 November 4, 2015 -- would that sound about right
20 to you -- according to Exhibit D-13?

21 A. I guess, yes, sir. That's what it
22 says, yes, sir.

23 Q. So about a month after you'd taken the
24 property, the petition was filed?

25 MS. LEE: I'm sorry. What is the

1 date, Jim?

2 MR. WAIDE: November 24th, 2015.

3 MS. LEE: Okay. Thank you.

4 A. I'm not aware. I'm not sure. I -- if
5 that's what it says, I guess it was. I don't
6 know.

7 BY MR. WAIDE:

8 Q. Okay. And then there was -- did the
9 County Attorney -- you're not supposed to tell
10 me what you told him, but did the County
11 Attorney consult with you about whether to enter
12 that agreed order to return the property? Did
13 he talk to you about it?

14 A. No, sir.

15 Q. All right. I'm looking at Exhibit
16 P-15, and the agreed order reflects it was an
17 agreement to return all the property on May 4th,
18 2000 -- well, strike that. That couldn't be
19 right because it's got....

20 Yeah. I'm sorry. It is right.
21 May 4th, 2016. That's what the order reflects.

22 A. I guess.

23 Q. But you just took the property, and
24 then the County Attorney apparently agreed to
25 return it but without ever consulting with you

1 about it?

2 A. That's true. I wasn't consulted, no,
3 sir. I guess -- I guess you -- I don't know who
4 the lawyer was.

5 Q. Right.

6 A. But I guess you and her talked, I
7 guess, if you were her lawyer at that time,
8 those people.

9

11:24:18

10

- - - - -

11

(Exhibit Number P-29 moved into evidence.)

12

BY MR. WAIDE:

13

Q. All right. Sheriff, I want to refer
14 you to Exhibit P-29, and it's -- it's in your
15 copy. If not, I'll -- I'll hand you a copy.

16

Take a look at Exhibit P-29. Tell me
17 what that is.

18

A. This is a --

19

MS. LEE: I'm going to object to the

11:25:26

20

witness testifying about this. This

21

particular exhibit, I believe we -- we

22

have --

23

A. Is that an --

24

MS. LEE: -- an objection because it's

25

a newspaper article.

1 A. I -- yeah. That -- they wrote that.
2 I -- I don't know who wrote that.

3 BY MR. WAIDE:

4 Q. That's -- there's -- Exhibit P-29 is a
5 series of newspaper articles, is it not?

6 A. Well, let's see. I only see one news
7 article.

8 Q. Maybe -- some of them may be TV
9 excerpts. Just look through them there.

11:25:59 10 A. There's -- WTVA had a thing there, and
11 then this looks like a news article here -- I
12 mean, a paper -- a *Dispatch* it says. The
13 *Dispatch*. And then over here it's talking about
14 -- I think -- looked like WTVA said -- had a
15 news thing -- release on it. Yeah. Uh-huh. I
16 see that, yes, sir.

17 Q. Aren't you quoted in all of these
18 articles?

19 A. Well --

11:26:33 20 Q. Turn -- turn to the first page.

21 A. Gosh, I couldn't answer that with an
22 honest answer. I guess, I don't --

23 Q. You can't --

24 A. I don't know.

25 Q. You can't read and see your name in

1 there?

2 A. Yeah, I can read, Mr. Waide.

3 Q. And -- and it --

4 A. But, now, you know newspapers write
5 news stories like they want to write them. I
6 don't -- I -- I -- I don't -- I don't know how
7 they -- you know, I'm -- I'm sure I said some of
8 those things. I don't know exactly. You know,
9 that was a scenario. We -- you know, you don't
10 just go down and say, Will you write so-and-so
11 and so-and-so? I guess they made up their own
12 mind of what to write.

13 MS. LEE: I'm going to have an ongoing
14 objection about the use of the newspaper
15 articles, as they are hearsay.

16 BY MR. WAIDE:

17 Q. Well, look at Exhibit P-29.

18 A. Yes, sir.

19 Q. First page.

20 A. Yes, sir. Yes, sir.

21 Q. Next to the last paragraph is quoting
22 you, is what it says that you told them. It
23 says that you told them, When we got there, the
24 SWAT team went down to the house.

25 A. Wait a minute. Hold on a second.

1 Hold on. When we got there the SWAT team --

2 Q. Next to the last paragraph.

3 A. I see that, yes, sir.

4 Q. When they got to the backdoor, he
5 opened the door and started shooting and wounded
6 one of my deputies.

7 A. Uh-huh.

8 Q. The deputy shot back. They were
9 seasoned deputies who was on the SWAT team, and
10 they had no choice but to stand back. Is --

11 A. Shoot back.

12 Q. Is that the substance of what you told
13 the reporter or told your media person at the
14 sheriff's office to tell the reporter?

15 A. I just assume, yes.

16 Q. You believe that's what you would have
17 told them?

18 A. I think so, yes, sir.

19 Q. You -- you did not tell them in that
20 article or any of the other articles that all
21 Mr. Keeton had was a pellet pistol. You never
22 told them that, did you?

23 A. No, sir.

24 Q. You also did not --

25 A. It didn't make -- it didn't make any

1 difference. He had a weapon and he came to the
2 door shooting at the deputies.

3 Q. Well, were you aware at the time, sir,
4 at the time you gave this report, that the MBI
5 had already looked at his pellet pistol and saw
6 that there was only one pellet was missing out
7 of the pistol?

8 A. I did not know that, sir.

9 Q. You know that now, don't you?

11:28:44 10 A. No, sir. I don't -- I haven't seen
11 the weapon. I mean, I -- I don't know that. I
12 saw it that night, but I --

13 Q. You know, from reading the officers'
14 statements, all of the officers' statements --
15 you know from reading all of the officers'
16 statement that they used both a battering ram
17 and a pry bar to try to break into the home as
18 the initial contact with Mr. Keeton. You know
19 that, don't you, sir?

11:29:03 20 A. Yes, sir.

21 Q. Did you ever tell the newspaper that?

22 A. No, sir.

23 Q. In this -- in these newspapers you
24 made statements to the effect that they were
25 seasoned deputies. They were only -- let's see.

1 The exact -- according to the newspaper, the
2 exact statement you made, They were seasoned
3 deputies who were on the SWAT team, and they had
4 no choice but to shoot back.

5 Is that what you told them?

6 A. I -- if -- I don't know what they -- I
7 don't know how they came up with that, but I --
8 I don't know. I -- to give you an honest
9 answer, I don't know. I can't -- I can't answer
10 that. I don't know.

11:29:39

11 Q. So far as what's in these articles, at
12 no point did you ever tell them that this was a
13 no-knock search warrant. At no point did you
14 ever tell them that, did you?

15 A. Mr. Waide, you don't talk search
16 warrants with the news media.

17 Q. You didn't think it would be pertinent
18 to tell them that your deputies were using a pry
19 bar and a battering ram to try to break into
20 Mr. Keeton's house? You didn't think that was
21 pertinent?

11:30:01

22 MS. LEE: I'm going to object to the
23 form. The -- the newspaper article is
24 hearsay, and we don't know what the sheriff
25 told the newspaper article -- newspaper

1 reporter because newspaper reporters put
2 whatever they want in -- in the article.
3 They can pick and choose their --

4 A. They just twist things.

5 MS. LEE: -- comments or whatever --
6 whatever they choose to do.

7 BY MR. WAIDE:

8 Q. Okay. Did you tell them that y'all
9 executed a no-knock search out there?

11:30:21 10 A. No, sir.

11 Q. Did you tell them that -- that the
12 deputies used a -- a -- a ram, a heavy ram to
13 try --

14 A. No, sir.

15 Q. -- to break into the door?

16 A. No, sir.

17 Q. Did you tell them that they used a pry
18 bar to try to break into the door?

19 A. No, sir.

11:30:35 20 Q. Did you -- did you tell them that Ms.
21 -- that Ricky's live-in girlfriend, Ms. Stegall,
22 had already admitted to you they knew they were
23 coming?

24 A. To the newspaper?

25 Q. Yes, sir.

1 A. No, sir. No, sir.

2 Q. Isn't it true, Sheriff, that by saying
3 that these were seasoned deputies and they had
4 no choice but to shoot back, that you were
5 approving what they did that night?

6 A. I don't think they had a choice.

7 Q. So you did approve what they did that
8 night?

9 A. I didn't approve to them; but in my
10 mind, yes, I think that they did what their
11 training, that -- you know, they go through
12 training, and they're certified police officers;
13 and if you're being shot at, I don't think
14 you're having a choice but to shoot back.

15 Q. Well, let's go back to the no-knock
16 search. You had earlier testified you had not
17 given them any training on when a no-knock
18 search could be done. Am I correct?

19 A. I -- I -- I don't understand your
20 question.

21 Q. Had you ever given the deputies any
22 training under the circumstances under which
23 they could use a no-knock warrant?

24 A. First of all, the no-knock warrant
25 comes from a judge, as we've already found that

1 out. No, sir, we -- we didn't sit down. I
2 mean, a logical person that was a certified
3 police officer would know that, I would just
4 assume, through their training. I mean --

5 Q. But -- and the training would be they
6 could use it anytime there was a drug case,
7 correct?

8 MS. LEE: Object to the form. That
9 was not his testimony.

11:32:06 10 A. I'm -- I'm not sure about that. I
11 don't know for sure. I can't answer and give
12 you an honest answer.

13 BY MR. WAIDE:

14 Q. Have you ever trained them that they
15 had to have something more than just the fact it
16 was a drug warrant in order to see -- in order
17 to do a no-knock search?

18 A. Now -- say that again.

19 Q. Have you ever told your deputies that
11:32:25 20 you got to have something -- in addition to the
21 fact that a person is a drug dealer, you got to
22 have some indication that he's dangerous or
23 something else to justify a no-knock search?
24 Had you ever trained them to --

25 A. Well --

1 Q. -- that effect?

2 A. -- you know, drug dealers, most of
3 them have guns; and, you know, it's a dangerous
4 situation. So, you know, they put their lives
5 on the line anytime you're doing anything with
6 drugs and drug dealers. People get killed every
7 day, if you'll look at the TV, how police
8 officers are killed in the line of duty. And I
9 -- I -- I just assumed that they -- that they
10 knew what to do.

11:33:02

11 Q. You just assumed your deputies knew
12 what to do?

13 A. Well, I mean, they've been on there
14 for -- been sheriff's deputies for years and
15 years.

16 Q. In all that time you've never told
17 them one time the circumstances under which --
18 the legal --

19 A. They -- they knew --

11:33:14

20 Q. -- the legal circumstances.

21 A. They knew the circumstances, yes, sir.

22 Q. If he was a drug dealer, that was
23 enough, as far as you assumed, right?

24 A. Well, we had probable cause because
25 we'd just made a drug buy off him with

1 Mr. Parker, you said. I didn't know his name,
2 but I knew there was somebody. I assume it was
3 Mr. Parker. I don't know that for a fact.

4 Q. You don't know whether Mr. Parker is
5 reliable or not, do you?

6 A. No, sir, I do not. I do not.

7 Q. So would you -- would you agree with
8 me that you never reprimanded any of the
9 deputies about what they did that night?

11:33:47 10 A. No, sir, I did not.

11 Q. You did not change your policies on
12 no-knock warrants after the killing of
13 Mr. Keeton? You didn't change that at all?

14 A. No, sir. No, sir.

15 Q. Do you have a gun in your house here?

16 A. Probably a hundred.

17 Q. You have a hundred guns in your house?

18 A. Yes, sir.

19 Q. If somebody was breaking into your
11:34:07 20 house during the early morning hours, would you
21 go to the door with a gun?

22 MS. LEE: I'm going to object to the
23 hypothetical, object to that question.

24 A. Wouldn't you?

25 BY MR. WAIDE:

1 Q. Are you asking me if I would?

2 A. Yeah, I would.

3 Q. Right.

4 A. I -- right over there in the corner,
5 if you'll notice, there's a gun in my house.

6 Q. Right.

7 A. Right there by my door, just --

8 Q. Do you remember one day -- you
9 remember the Parvin case when I defended David
10 Parvin? You --

11 A. I do.

12 Q. You remember us having a talk about
13 the use of guns out there one day?

14 A. Yes, sir.

15 Q. Do you remember telling me that
16 everybody ought to have a gun, including me,
17 that I needed to get me one?

18 A. Yes, sir. You need a gun.

19 Q. That everybody ought to have one at
20 his house, correct? Do you agree with that?

21 A. Well, the day and times that we live
22 in, I think that you need to protect your home,
23 which you have a right to. You know, the castle
24 law, by law, gives you the right to protect your
25 home.

1 Q. And if somebody's breaking into it, to
2 confront them with a gun, right?

3 A. If somebody's breaking in my house,
4 I'm going to confront them. I'm not going to
5 let them come in and shoot me.

6 Q. With a gun.

7 A. Anything.

8 Q. And -- but you -- you'd confront them
9 yourself with a gun if somebody was breaking
10 into your house?

11:35:03

11 A. Wouldn't you?

12 Q. Yeah, my question is would you.

13 A. Yes, sir, I guess I would. Yeah.
14 Yeah. Wouldn't you? I guess any normal person
15 would do that, I would think.

16 Q. How long would you say you'd known
17 Mr. Keeton was a drug dealer?

18 A. Several years.

19 Q. Several years?

11:35:24

20 A. That was -- that was the talk on the
21 street, hearsay stuff. Now, I -- now, I mean --

22 Q. So it's just a coincident that y'all
23 happened to go do this no-knock search just a
24 few days before the election? That's just a
25 coincident?

1 MS. LEE: Object to the form. Object
2 to the characterization --

3 A. You don't never know --

4 MS. LEE: -- of the no-knock.

5 A. It certainly wasn't from no political
6 standpoint, no, sir.

7 MS. LEE: I'm going to move to strike
8 that question.

9 A. I don't know if that's where you're
10 trying to say --

11:35:47

11 MS. LEE: There's been no foundation
12 laid.

13 A. -- but that's -- no, sir. Would not.

14 BY MR. WAIDE:

15 Q. All right. Sheriff, you were -- you
16 were defeated the last time you ran for office?

17 A. Yes, sir, I was.

18 Q. And there was some -- and then you
19 resigned early?

11:36:34

20 A. Yes, sir, I did. About three and a
21 half months early, yes, sir.

22 Q. And did you resign amidst charges that
23 you had been improperly using -- charges by the
24 State Auditor against you?

25 MS. LEE: I'm going to strike the --

1 A. No, sir.

2 MS. LEE: I'm going to move to strike
3 the question.

4 A. I don't -- there -- there's --

5 MS. LEE: I'm going to object to the
6 relevancy of the question. Improper
7 character evidence.

8 A. Well --

9 MS. LEE: No foundation.

11:36:54 10 A. -- you know, Mr. Waide, I -- I guess,
11 now, if you're going to go down this road, I'm
12 going to answer it like this.

13 BY MR. WAIDE:

14 Q. Okay.

15 A. In 2000 -- and you're trying to make
16 me look like a bad person. In 2008 you
17 represented me for about three years --

18 Q. Right.

19 A. -- in a case.

11:37:10 20 Q. Right.

21 A. And I wasn't a bad person then because
22 you got \$15,000 to represent me. And then,
23 after I ran for sheriff, you made me campaign
24 donations. So I must not be a bad person.

25 Q. Sheriff, I'm actually -- actually --

1 these questions actually go to -- to questions
2 of your -- your word about why the no-knock
3 search was carried out and those type things of
4 credibility, and I'm not asking these to
5 embarrass you.

6 But since you brought it up, actually
7 what was going on in -- when I represented --

8 A. I --

9 Q. -- you was --

11:37:39 10 A. I --

11 Q. Let's go into that since you --

12 A. That's --

13 Q. -- brought it up.

14 A. That -- no, you brought it up.

15 Q. No, sir.

16 A. You went down that road.

17 Q. No, sir. You brought it up by telling
18 me that I represented you.

19 A. You did. Yes, sir.

11:37:47 20 Q. Yes, sir. And the reason I was
21 representing you is the law enforcement in
22 Monroe County, a number of deputies -- this is
23 what you brought up. A number of deputies had
24 gone to the polls and, according to you, were
25 intimidating the voters, correct? According to

1 us in the lawsuit. That's what I represented
2 you about.

3 A. That's what you proved.

4 Q. That's what we proved. So law
5 enforcement was -- that's what our lawsuit was
6 about?

7 A. Yes, sir. You -- you proved that in
8 court.

9 Q. Yes, sir.

11:38:12 10 A. I mean, you did by your documents.

11 Q. Yes, sir.

12 A. Yes, sir. And did a good job.

13 Q. Okay.

14 Well, Sheriff, is it true that after I
15 had represented you, you made statements to
16 various people that it didn't matter what you
17 did in Monroe County, Mississippi, because you
18 had Jim Waide in your pocket? Did you say that?

19 A. No, sir.

11:38:30 20 Q. Did you say -- is it true what we
21 earlier said, that --

22 A. Mr. Waide --

23 Q. -- the State -- the State Auditor was
24 investigating you for acts of dishonesty? Is
25 that what --

1 MS. LEE: No. Object to -- I'm going
2 to object to this --

3 A. Dishonesty?

4 MS. LEE: -- line of questioning.
5 Improper --

6 A. I -- I -- I object to --

7 MS. LEE: Hold on, Mr. Cantrell. This
8 is --

9 A. No, sir, I didn't say --

11:38:46 10 MS. LEE: -- improper 607 character
11 witness --

12 A. I'm not --

13 MS. LEE: -- (indiscernible).

14 A. -- dishonest.

15 BY MR. WAIDE:

16 Q. What -- what was the auditor
17 investigating you for?

18 A. The auditor --

19 MS. LEE: Same objection.

11:38:53 20 THE WITNESS: Do I need to answer?

21 MS. LEE: You can answer.

22 A. Okay. I can answer it.

23 One of my deputies -- we were going to
24 go out and -- that afternoon and campaign, and
25 he had some signs with those little wire things

1 that you stick in there, and he was putting
2 something together, we was going to go out in
3 some neighborhoods and knock on some doors. And
4 some of those inmates that work at the Work
5 Center come out there and helped him a little
6 bit.

7 And I -- I told them when I got there,
8 Get on away from here; don't touch any of my
9 political stuff. And they used that against me.

10 BY MR. WAIDE:

11 Q. Who did? The State Auditor?

12 A. Yes.

13 Q. So is that the reason you resigned?

14 A. No, sir. The reason I resigned is
15 because of today. I had been going through
16 issues with my physical issues. I couldn't go
17 any further. My -- I was just --

18 Q. Okay.

19 A. I was washed out. My health had done
20 gotten to me.

21 Q. All right.

22 A. I just -- I couldn't do any -- I
23 couldn't go any further.

24 Q. Sheriff, during the campaign, when you
25 -- you earlier indicated about -- well, I'm

1 sorry also to have to get into this, but I must
2 ask you this.

3 During the campaign, Sheriff, another
4 issue was -- in that campaign was your
5 statements, which was played on the news media,
6 of your threatening your employees that you were
7 going to take a 2-by-4 to any of them that were
8 not loyal to you in the election.

9 A. That is not true.

11:40:08 10 MS. LEE: Object to the form.

11 BY MR. WAIDE:

12 Q. Well --

13 MS. LEE: Move to strike the question.

14 A. That's not true.

15 BY MR. WAIDE:

16 Q. All right. So weren't there audios
17 played of you telling them that?

18 A. Let me run this by you.

19 Q. Yes, sir. All right, sir.

11:40:16 20 A. After I was elected for my first time,
21 I made a statement or two at the sheriff's
22 office to some of those people that I didn't
23 like what they did in the election. They wasn't
24 for me. But I never threatened anybody.

25 Q. Sir, wasn't there an audio tape played

1 where you threatened them with a 2-by-4 and you
2 told them --

3 A. What they did --

4 MS. LEE: I'm -- hold on a second.

5 A. What --

6 MS. LEE: I'm going to move to --

7 A. What -- what --

8 MS. LEE: -- strike this entire line

9 of questioning. This is improper. It's

11:40:44 10 irrelevant to the issues in this case, and

11 the --

12 A. I totally agree.

13 MS. LEE: -- entire line of

14 questioning.

15 A. I agree to that.

16 MS. LEE: It needs to be stricken.

17 A. That's -- that doesn't have anything

18 to do with this case, and you know that, Mr.

19 Waide.

11:40:51 20 BY MR. WAIDE:

21 Q. Sir, you earlier talked about what a

22 Christian you were, correct?

23 A. I am a Christian. Yes, sir.

24 Q. All right, sir. Well, did you --

25 A. Now, are you?

1 Q. I think that -- what I think, Sheriff,
2 is that -- that God will judge all of us, just
3 like He'll judge you and He'll judge me; and
4 it's not for you to say you are or I am either.
5 I think it's judged by your acts is what I
6 think.

7 A. Yeah.

8 Q. And I want to know whether -- did --
9 did you or did you not --

11:41:12 10 A. I know Jesus Christ died for my sins
11 on the cross.

12 Q. Yes, sir. Did you or did you not tell
13 the employees that you'd be taking a 2-by-4 to
14 any of them that you found out was disloyal to
15 you?

16 MS. LEE: Same objection.

17 A. No, sir, I did not say that.

18 MS. LEE: Relevancy and prejudice.

19 BY MR. WAIDE:

11:41:25 20 Q. Wasn't that an audio tape played --

21 A. That was --

22 Q. -- on the internet about it?

23 A. They may -- I don't know what was
24 played on the internet. All that stuff is
25 nothing but a gossip column, and they cut --

1 they can splice any kind of wording they want to
2 and put in there for -- for what they want it to
3 sound like.

4 MS. LEE: I'm going to move to strike
5 the entire line of questioning as
6 irrelevant, improper character, and under
7 403.

8 MR. WAIDE: Give me just a second. I
9 got some notes I need to look at.

11:41:47 10 MS. LEE: (Whispering) You okay,
11 Sheriff?

12 THE WITNESS: Yeah. I'm going to be
13 all right.

14 MR. WAIDE: I think I'm finished.
15 Give me just a minute.

16 I want to tender into evidence Exhibit
17 P-16 --

18
19 - - - - -

11:44:02 20 (Exhibit P-16 moved into evidence.)

21 BY MR. WAIDE:

22 Q. -- and ask if you can identify what
23 that is, Sheriff. See if it's in your copy
24 there.

25 MS. LEE: We've objected to this

1 exhibit for hearsay and relevance --

2 MR. WAIDE: Yeah.

3 MS. LEE: -- under (indiscernible).

4 BY MR. WAIDE:

5 Q. What is Exhibit P-16?

6 MS. LEE: Same objection.

7 BY MR. WAIDE:

8 Q. I think that's both -- it's two pages
9 of it.

11:45:20 10 A. Okay. What --

11 Q. Do you remember -- do you know what
12 that is? You've already been asked about it.
13 Do you remember what that is?

14 MS. LEE: Same objection. Hearsay
15 evidence.

16 A. Well, what do you -- what do you -- I
17 don't understand what you're trying to say.

18 BY MR. WAIDE:

19 Q. Yeah. I'm asking you to identify that
11:45:36 20 check with your name on it and ultimately
21 endorsed by Wanda and put into Ricky Keeton's
22 bank account. Do you -- do you know the
23 circumstances of that, how that came about?

24 MS. LEE: Same objection.

25 A. I'm sure that was for that trailer.

1 BY MR. WAIDE:

2 Q. For the trailer?

3 A. I guess. That's the only --

4 Q. Earlier you said it was for the lawn
5 mower. But maybe -- could it have been either
6 one?

7 A. Oh, now, it could have been that lawn
8 mower I bought from her -- her live-in
9 boyfriend.

11:46:00 10 Q. Right. Could have been for --

11 A. Yeah. I bought a lawn mower from him.

12 Q. From Ricky's --

13 A. Yeah.

14 Q. -- sisters?

15 A. Yeah. I went down to North
16 Mississippi Federal Credit Union and took out
17 some of my money that I had in the credit union.
18 I believe that's it, yeah. I think. I'm 99%
19 sure it is, yeah. Yeah, I'm sure it is.

11:46:20 20 Q. All right. This case has gone on now
21 for five years, basically. More than five
22 years.

23 A. About eight.

24 Q. Well, okay. I won't quibble with you
25 about that. (Inaudible).

1 A. Well, I think. I mean --

2 Q. Regardless --

3 A. -- 2015, and this is --

4 Q. Yeah. In --

5 A. -- 2000 --

6 Q. In all --

7 A. -- 22, seven years.

8 Q. In all this time you have never
9 learned of any violent act that Ricky Keeton had
10 ever done. Am I correct?

11:46:40

11 A. I haven't tried to find out anything,
12 any violent act that he did.

13 Q. And you had not tried to find out
14 before the search warrant either, correct?

15 A. Only thing I ever heard about Ricky
16 Keeton was that he was a convicted felon for
17 having a hundred pounds of marijuana that he was
18 selling --

19 MS. LEE: Hold on. Let him finish.

11:47:03

20 A. -- and that he was charged with and
21 convicted with. And I understand -- I
22 understand that he -- you know, that he was a --
23 must have been a -- anybody that has a hundred
24 pounds of marijuana wouldn't have that for just
25 their own use. It would be to have to sell.

1 BY MR. WAIDE:

2 Q. All right. Sir, we have the records
3 of what he was convicted of. He was actually
4 convicted of selling marijuana, and -- and it's
5 much less than a hundred pounds. You've seen
6 those records?

7 A. I have not.

8 Q. Let's see.

9 A. We was told a hundred pounds.

11:47:29 10 Q. I'm sorry. What?

11 A. We were told a hundred pounds.

12 Q. Did Ricky tell you that?

13 A. No, sir.

14 Q. Sir, isn't it -- were -- were you
15 involved in getting Ricky's charges reduced so
16 that he got a suspended sentence?

17 A. No, sir.

18 Q. How did he get a suspended sentence
19 with --

11:47:46 20 A. I don't know. That was not even in
21 our county.

22 Q. It was Itawamba County.

23 A. It was Itawamba County. I didn't --

24 Q. So how did -- how did -- how was
25 anybody talking to you about it?

1 A. That just hearsay on the street. I
2 mean, everybody knew it.

3 Q. Well, you talked to Ricky about it,
4 didn't you, sir?

5 A. I have never talked to Ricky Keeton
6 about that. I --

7 Q. So who -- who told you, then, it was
8 a --

9 MS. LEE: Let him finish, Mr. Waide,
10 please.

11 BY MR. WAIDE:

12 Q. Who told you that it was a hundred
13 pounds?

14 A. I can't remember. I -- I don't
15 recall.

16 MR. WAIDE: Give me just a minute.
17 Let me see if I can find it.

18 All right. I -- at this time I don't
19 have -- apparently don't have it with me,
20 but we have a -- this as an exhibit, I
21 believe, the records of the conviction of
22 Ricky Keeton in Itawamba County. And I'm
23 going to tender that into evidence, but I
24 don't have it with me, apparently.

25 BY MR. WAIDE:

1 Q. My question that led up to all of this
2 was at any time, either before or in the several
3 years after this case was filed, you have never
4 located, found, or been made aware of any act of
5 violence that Ricky Keeton had ever -- has ever
6 committed.

7 A. No, sir. Don't know of any. But I
8 wasn't trying to find out any.

9 Q. And you weren't trying to find -- you
11:49:50 10 weren't trying to answer that question before
11 the search warrant was executed either, were
12 you?

13 A. Never came up.

14 Q. Never concerned about whether or not
15 he was violent, correct?

16 MS. LEE: Object to the form. The
17 sheriff has already testified he wasn't --

18 A. I just assume that --

19 MS. LEE: -- involved in --

11:50:02 20 A., -- all drug dealers are -- are -- are
21 dangerous.

22 BY MR. WAIDE:

23 Q. I see. Well, that would include Terry
24 Parker, your informant, then, correct?

25 MS. LEE: Object to the form. Mr.

1 Parker is not -- it's not in evidence that
2 Mr. Parker is a --

3 A. I --

4 MS. LEE: -- drug dealer like
5 Mr. Keeton.

6 A. I think he's more of a drug user.

7 BY MR. WAIDE:

8 Q. I see. Well, what is he convicted of?
9 He was convicted of manufacturing, wasn't he?

11:50:21 10 Mr. Parker?

11 A. I think so. I think he was at one
12 point, yeah. I think he was growing some
13 marijuana.

14 Q. And we know he was continuing to use
15 drugs at least as of the time Mr. Keeton was
16 killed. According to him he was.

17 A. I assume that he was.

18 Q. So you'd assume he was violent also.

19 A. I can't answer that. I don't know
11:50:36 20 that he was violent.

21 Q. I thought you said all drug dealers
22 were violent.

23 A. Well, if they're selling drugs, they
24 usually have guns, and they're -- they'll kill
25 you. They're dangerous. They're dangerous --

1 Q. Well, it -- it looked like Mr. Keeton
2 had a low standard of living out there, didn't
3 he? Lived in a trailer worth -- you know what
4 he paid for that trailer, Sheriff?

5 A. No, sir. I don't have any idea.

6 Q. But it's very inexpensive. Would you
7 agree with that?

8 A. I -- I -- I never thought about it.
9 I -- I guess. I don't know. I don't know what
10 he paid for it. Have no idea.

11:51:05

11 Q. Well, Sheriff, do you agree with me
12 that there are worlds of factory workers that
13 work in factories right here and use crystal
14 meth all the time? That's pretty common in this
15 area?

16 MS. LEE: Object to -- I -- I didn't
17 understand the --

18 A. I --

19 MS. LEE: Can you --

11:51:21

20 A. I don't --

21 MS. LEE: Hold on one second. I don't
22 understand the --

23 A. I don't know.

24 BY MR. WAIDE:

25 Q. You don't know?

1 A. I don't know that. I don't know what
2 they use at work. I'm -- work. I don't know.

3 Q. You don't know?

4 Is it common in this area for people
5 to make crystal meth at home?

6 MS. LEE: Object to the form of the
7 question.

8 A. I --

9 MS. LEE: What is the --

11:51:51 10 BY MR. WAIDE:

11 Q. That's what Mr. --

12 MS. LEE: -- definition of "common"?

13 BY MR. WAIDE:

14 Q. -- Parker was doing -- that's what
15 Mr. Parker was doing.

16 A. I couldn't answer that. I mean, they
17 -- there's some that I -- I assume that do,
18 yeah.

19 Q. Do you believe that being a drug
11:52:05 20 dealer ought to be a capital offense? It ought
21 to be an offense you'd be killed for, Sheriff?

22 A. I can't answer that. I don't -- I
23 wouldn't think so, no, sir.

24 MR. WAIDE: Okay. That's all I have.

25

1 EXAMINATION

2 BY MS. LEE:

3 Q. All right. Sheriff, I've just got a
4 few questions since this is your trial
5 deposition.

6 It's true, isn't it, that the bust
7 that you-all made that night at -- at Keeton's
8 trailer was the largest crystal meth bust in the
9 history of Monroe County, isn't it?

11:52:37 10 A. Well --

11 MR. WAIDE: Object to leading.

12 A. It was the biggest one that's ever
13 been made, yes.

14 BY MS. LEE:

15 Q. I'll -- I'll --

16 A. During my tender [sic].

17 Q. How would you characterize the bust
18 that you made at the Keeton residence in terms
19 of volume of crystal meth seized?

11:52:50 20 A. There was an ammo can -- you know what
21 an ammo can is. And it was over half full.

22 Q. And did it have a street value that
23 you were aware of?

24 A. We were -- of course, I don't know
25 exactly because I don't know what they're

1 selling for, what they get it for. But it was
2 thousands of dollars.

3 Q. Have you ever had a bust bigger than
4 the one in Monroe County that you're aware of at
5 the Keeton residence that night?

6 A. No, ma'am.

7 Q. How did the crystal meth appear to
8 you? Was it -- was it packaged in any way?

9 A. Yes, ma'am. It was packaged to sell.

11:53:20 10 MR. WAIDE: Object because it's not
11 showing he has any personal knowledge.

12 BY MS. LEE:

13 Q. All right. Sheriff, did you witness
14 the -- the drugs in the ammo can at the Keeton
15 residence after you began the seizure of the
16 property?

17 A. After -- after the -- the seizure?
18 Yes. When they brought it to the sheriff's
19 department. Yes.

11:53:35 20 Q. Okay. And what did the -- what did
21 the drugs look like to you in terms of their
22 appearance?

23 MR. WAIDE: Object to relevance.

24 A. I don't understand your question.

25 BY MS. LEE:

1 Q. Okay. Were the -- were the drugs
2 loosely packaged or were they --

3 A. I would just say --

4 Q. -- individually packaged?

5 A. No, individual package, most of it
6 was.

7 Q. Okay. When you spoke to Wanda Stegall
8 on the night of the Keeton incident -- you spoke
9 to her, correct?

11:54:01 10 A. Yes -- yes, ma'am. She just was
11 talking, saying --

12 Q. Okay. Was she upset about the
13 situation, understandably?

14 A. Yes, ma'am.

15 Q. And how soon after Mr. Keeton's death
16 did Ms. -- Ms. Stegall approach you to speak to
17 you at the trailer?

18 A. She was sitting out under the carport,
19 and I went over there and I give her a -- seem
11:54:22 20 like I give her a handkerchief or something.

21 She was crying, and I gave it to her. And then
22 she just started telling all what -- that they
23 had been doing drugs that night and -- about 20
24 -- 15 or 20 minutes before we got there.

25 Q. Okay.

1 A. Something like that.

2 Q. And, Sheriff, you have had experience
3 with crystal meth users in the past, correct?

4 A. Yes, ma'am.

5 Q. And is it your experience that -- how
6 -- what is -- what is the experience normally
7 that a crystal meth user -- after using, what is
8 their behavior like?

9 MR. WAIDE: Object to relevance.

11:54:54 10 Beyond his calling. He's not --

11 A. Well --

12 MR. WAIDE: -- designated as an
13 expert.

14 A. I'm not an expert or anything. But
15 what I've seen out of it, people that we've
16 arrested, they'd stay up for days.

17 BY MS. LEE:

18 Q. Okay. How many times have you dealt
19 with crystal meth users who have been up for
11:55:08 20 days?

21 A. Numerous.

22 Q. Okay. And how long were you sheriff?

23 A. Eight -- eight years. Almost eight
24 years. I lacked a couple of months of it being
25 eight years.

1 Q. Okay.

2 A. And I was county justice court judge
3 for 24 years.

4 Q. Have you ever known any crystal meth
5 user to go to bed following the use of crystal
6 meth?

7 A. No, ma'am.

8 Q. Okay. Did Mr. Keeton have -- have
9 dogs on the property?

11:55:34 10 A. Yes, ma'am. He had some vicious dogs.

11 Q. Okay. Were you -- were your office --
12 do you know if your officer were aware of the
13 dogs prior to the -- the execution of the
14 no-knock?

15 A. I do not know that.

16 Q. Okay. You'd agree with me, wouldn't
17 you, Sheriff, that someone can actually -- on
18 either side of a trailer door can shoot through
19 the door, correct?

11:55:57 20 A. Yes, ma'am.

21 Q. Okay. And your officers would have
22 received training on no-knock warrants even if
23 you didn't personally give them that training,
24 correct?

25 MR. WAIDE: Object. Beyond his

1 personal knowledge.

2 A. I would assume they got that at -- at
3 the academy.

4 BY MS. LEE:

5 Q. Okay. All right. Thank you.

6 MS. LEE: That's all I have. Thank
7 you.

8

9 FURTHER EXAMINATION

11:56:23 10 BY MR. WAIDE:

11 Q. Were you aware that Ms. Stegall, Wanda
12 Stegall, was interviewed on three different
13 occasions by Kenneth Bailey, the highway patrol
14 investigator?

15 A. I knew that night he was talking to
16 her.

17 Q. Have you -- have you looked at those
18 interview notes?

19 A. No, sir.

11:56:43 20 Q. Are you aware of why she would share
21 all this information -- are you aware that none
22 of this information you're saying about what she
23 told you about they knew they were coming or
24 whatever -- did she ever say that to Mr. Bailey?

25 A. I don't know.

1 Q. You know -- you inter- -- did you --
2 did you say you were or were not friends with
3 Wanda?

4 A. Well, when I was growing up in Amory,
5 you -- you know, we -- just kids, you see each
6 other, you know, out, around and maybe at a
7 football game or a baseball game or something
8 like that.

9 Q. So y'all -- so you did consider her
10 friends.

11 A. I consider everybody I -- yeah, I
12 guess she was my friend.

13 Q. So she was just your friend. And was
14 she really telling you, It wasn't your fault
15 because we knew they were coming? Is that what
16 she was telling you?

17 A. No, sir. That wasn't it at all.

18 Q. I see.

19 A. No, sir. She -- she -- she was --

20 very adamantly knew that the deputies were
21 coming around their property, and she told -- he
22 told Wanda that he was going to run these
23 deputies off.

24 Q. I see. So she came out and just told
25 you that he said --

1 A. Yes, sir.

2 Q. -- Well, I'm going to run those
3 deputies off.

4 A. Uh-huh.

5 Q. I'm going to run them off with my
6 pellet pistol.

7 A. I -- I don't know. I guess. I don't
8 know that. I don't know.

9 Q. And you say you've observed a lot of
10 meth people?

11 A. A bunch.

12 Q. And you -- and -- and you -- have you
13 been around them after they took meth and then
14 you left, or did you -- did you stay there with
15 them to know they didn't go to bed?

16 A. I -- I -- I don't know if they went to
17 beds or not. I -- Mr. -- Mr. -- I know they was
18 fully clothed.

19 Q. He had his pants and no shirt on,
20 didn't he?

21 A. He had a shirt on. Yes, sir.

22 Q. Well, we got the pictures, so we can
23 see that.

24 A. I think. I'm -- I'm -- I'm sure he
25 did. He had his pants on, I know for sure.

1 Q. All right. Are you saying that you
2 have been around meth dealers and observed them
3 using meth; and then you've noticed they didn't
4 go to bed, they stayed up after that?

5 A. I don't know about -- I know what --
6 the people that we would arrest, you know, might
7 -- like, out driving in -- on the road and
8 everything, they were high on meth, and maybe
9 find meth in their car and they'd stay up --
11:58:58 10 when you arrest them, they're liable to stay up
11 three or four days in jail before you laid down.

12 Q. Some of that depends on how much you
13 use and what your reaction to it is and --

14 A. That's true.

15 Q. -- how long it's been --

16 A. I'm sure --

17 Q. -- since you --

18 A. I'm sure of that, yes, sir.

19 Q. But you had never heard in your whole
11:59:11 20 life of anything violent Mr. Keeton had ever
21 done. Even though you heard all this stuff,
22 that he -- did you hear he was a meth dealer or
23 used meth? Which did you hear? Or did you hear
24 both?

25 A. We heard that he was selling meth.

1 Q. And it -- and you'd known it for
2 years, you say.

3 A. Not for years.

4 Q. How long?

5 A. Well, I was only sheriff for -- I'd
6 say I'd known it for four or five years.

7 Q. Four or five years.

8 A. Something like that. Three or four,
9 five, something.

11:59:32 10 Q. And in the four or five years, you had
11 never heard that it caused him to be violent in
12 any way.

13 A. I -- I -- I don't know of anything.

14 Q. And you never had heard it caused him
15 to be irrational in any way.

16 A. I don't know about that, no, sir.

17 Q. You agree with me that a person would
18 have to be absolutely crazy or irrational to
19 take a pellet pistol and go out and aim it or,
11:59:52 20 according to you, shoot it at six heavily armed
21 deputies. He would have to be absolutely crazy
22 to do anything like that, wouldn't he?

23 A. Most people that are high on meth make
24 bad decisions. He made a decision.

25 Q. So that's what you're saying happened.

1 You're --

2 A. Yes, sir.

3 Q. -- saying that he was high on meth, so
4 he decided to take his pellet pistol and go out
5 there and scare off six armed deputies?

6 A. For -- that's what --

7 Q. That's what you're saying happened?

8 A. That's what it looks like.

9 Q. And you're saying that even though you
12:00:15 10 weren't there.

11 A. I was around -- I was there. I was on
12 the other side of the house.

13 Q. Well, even though you weren't there
14 when the shooting occurred.

15 A. I was out in the -- out in my pickup
16 on the other side of the house.

17 Q. So you are justifying what these
18 deputies did on that ground, that you assume
19 that he was just high on meth and he went out
12:00:29 20 and confronted six armed deputies with his
21 pellet pistol.

22 A. That's what it looks like.

23 Q. That's your defense in the case,
24 correct?

25 A. That's what it looks like.

1 Q. That's your defense?

2 A. That's what it looks like.

3 Q. So it -- so according to you, then, it
4 was perfectly okay to use that no-knock warrant
5 that night?

6 A. I don't know what the judge said about
7 the no-knock warrant.

8 Q. You're saying the entire
9 responsibility for the no-knock warrant is on
10 the judge --

12:00:49

11 A. Yes, sir.

12 Q. -- not on you. Am I correct?

13 A. That's correct.

14 Q. So you blame the judge, correct?

15 A. I'm not blaming anybody.

16 Q. But it's --

17 A. I do not know what that judge did.

18 Being a judge for 24 years, I don't know what

19 Mr. Fowlkes decided to --

12:01:01

20 Q. So --

21 A. -- do about that.

22 Q. So you believe the judge told y'all to
23 issue a no-knock warrant, and for that reason
24 you couldn't just go knock on the door and give
25 Mr. Keeton a chance to come to the door. You

1 couldn't do it because a judge had issued a
2 no-knock warrant?

3 A. I don't know that for a fact. I don't
4 know.

5 Q. And the -- and the reason that -- you
6 could just -- for example, with Mr. Parker, do
7 you understand Mr. Parker -- do you understand
8 now Mr. Parker was a friend of Keeton's, had
9 been over there, be it months or years, seeing
10 Mr. Keeton? Do you understand that?

11 A. I didn't know that.

12 Q. Have you even read the file in this
13 case?

14 MS. LEE: I'm going to object to the
15 entire line of questioning. First of all,
16 this --

17 A. Yeah, but I don't --

18 MS. LEE: -- these are matters that
19 were not gotten into on my
20 cross-examination or examination of this
21 witness --

22 A. I mean --

23 MS. LEE: -- and they're improper --
24 hold on Mr. Cantrell -- and they're
25 improper redirect, Jim. This is -- we've

1 gone way beyond the scope of my
2 examination.

3 BY MR. WAIDE:

4 Q. Okay. The scope of her examination
5 was she said -- she got you to express your
6 opinion that he was high on drugs, and that's
7 the reason he went to the door with a gun,
8 right? Is that -- is that your opinion?

9 A. I don't know. I don't why he did what
12:01:59 10 he did. I don't know.

11 Q. And you --

12 MS. LEE: And that was not what his
13 opinion was. I asked him about what people
14 did when they were high on crystal meth or
15 whether they went --

16 A. That's --

17 MS. LEE: -- to bed or not, and his
18 testimony was that his experience was you
19 don't go to bed after smoking crystal meth,
12:02:16 20 as Mr. Keeton and Wanda did that evening.

21 A. You stay up for days. Some of them
22 stay up for days. I don't know how that
23 affected him. I don't know.

24 BY MR. WAIDE:

25 Q. You -- and then when you say you don't

1 know, you have no evidence -- you have no
2 evidence that the reason Mr. Keeton went to the
3 door with --

4 A. I'm sure --

5 Q. -- his pellet gun was --

6 A. I'm sure MBI that did the
7 investigation, I'm sure they did -- took blood
8 and -- and --

9 Q. So they know how much meth he had.

12:02:47 10 A. That's right. In his body. I would
11 assume that.

12 Q. And so far as the amount of the drugs,
13 you're not the person that found the drugs?

14 A. No, sir. M --

15 Q. That was either Keeton -- that was --

16 A. MBI found them.

17 Q. Sir -- are you sure about that, sir?

18 A. I think so, yes, sir. I think so.

19 Q. Isn't it your deputies that found the
12:03:03 20 amount of the drugs, your deputies Coxey and --
21 either Coxey and Sloan?

22 A. I'm not sure. I thought it was MBI,
23 but I -- they could have. I don't -- I don't
24 know. I couldn't answer that. I wasn't there
25 when they found it.

1 Q. So you personally don't know how much
2 drugs were there.

3 A. I know what the ammo can had in it.

4 Q. No --

5 A. About -- about this -- about that --

6 Q. The ammo can -- who showed you --

7 MS. LEE: Let him finish his answer --

8 MR. WAIDE: Okay.

9 MS. LEE: -- please, Jim.

12:03:21 10 A. It was about that deep in drugs, that
11 long. An ammo can is about this wide. It's
12 about a foot long or longer, and it was about
13 half full.

14 BY MR. WAIDE:

15 Q. Who showed you the ammo can?

16 A. They brought it to the sheriff's
17 office.

18 Q. Who did?

19 A. The narcotics people.

12:03:37 20 Q. Sloan and Coxey?

21 A. Yeah. I don't know if MBI let them
22 have the drugs. I don't know. I have no idea.

23 Q. You don't know whether it's Coxey and
24 Sloan that brought it there.

25 A. I -- no -- I would just assume they

1 did. I don't know that.

2 Q. So is it your defense to the killing
3 of Mr. Keeton that because he had so many drugs
4 there, we think that would be a defense to
5 killing him?

6 MS. LEE: Object to the form of the
7 question. That's not what the testimony
8 has been.

9 A. Mr. Waide --

12:04:01 10 BY MR. WAIDE:

11 Q. What -- what does that have to --

12 A. -- I can't --

13 Q. -- do with the case?

14 A. -- answer. I can't answer that. I
15 don't know why he did what he did. I don't know
16 why he went to the door with a gun and shot at
17 the deputies. I don't know that.

18 Q. And you also don't know why the judge
19 would have issued a no-knock warrant?

12:04:14 20 A. No, sir. I don't know why the judge
21 did whatever he did.

22 Q. And -- but you're saying -- and as I
23 understand --

24 A. You need to --

25 Q. -- you said --

1 A. What you need to do is ask the judge
2 those questions, and he can answer that, because
3 I don't know.

4 Q. But it's not -- it's not -- it's not
5 law enforcement's fault that the judge did --
6 issued the no-knock warrant, right?

7 A. I can't -- I wouldn't assume that it
8 would be the law enforcement's responsibility.

9 Q. You don't think, sir, that if a judge
12:04:35 10 illegally issues a no-knock warrant, you don't
11 think you have the authority, as a -- as a --

12 MS. LEE: Object --

13 A. I don't know how --

14 MS. LEE: Objection. There's been no
15 finding that the -- the no-knock warrant
16 was illegal. I object to the
17 characterization of that in the question.

18 A. I don't know what the judge --

19 BY MR. WAIDE:

12:04:49 20 Q. Did you ever read the warrant?

21 A. I looked over the warrant, yes, sir.

22 Q. It doesn't say that the judge issued
23 it. It said the officers requested it, didn't
24 it, sir?

25 A. I don't recall, to be honest.

1 Q. So can you really say the judge issued
2 a no-knock warrant, then?

3 A. I'm sure he did.

4 Q. Well, that's -- why do you say that?

5 A. I guess he did. I don't know what the
6 judge did. I don't know if he said it was
7 no-knock or -- or what, or whatever. I don't
8 know. I can't answer what the judge did. You
9 need to ask the judge those questions.

12:05:17 10 Q. And I want to refer you to page 6 --

11 MS. LEE: I'm going to object to this
12 entire line of questioning because I did
13 not get into the no-knock warrant at all in
14 my -- in my examination of Mr. Cantrell.

15 BY MR. WAIDE:

16 Q. I'm going to show you Exhibit 6 and
17 ask you to read what -- this is the warrant.

18 MR. WAIDE: I moved to receive the
19 warrant into evidence.

12:05:47 20

21 - - - - -

22 (Exhibit P-6 moved into evidence.)

23 MS. LEE: Same objection. This --
24 this has not been -- I did not ask any
25 questions about the warrant to

1 Mr. Cantrell.

2 MR. WAIDE: Okay.

3 MS. LEE: All this should be stricken.

4 BY MR. WAIDE:

5 Q. All right. I'm reading from Exhibit
6 P-6. It says --

7 THE WITNESS: All right. What do --
8 what do I do?

9 MS. LEE: You can answer the question.

12:06:00 10 My objection will be ruled on --

11 THE WITNESS: Okay.

12 MS. LEE: -- by the judge --

13 THE WITNESS: Okay.

14 MS. LEE: -- at the time of trial.

15 BY MR. WAIDE:

16 Q. The above affiant respectfully
17 requests a no-knock search due to officer safety
18 and the possession of further -- and the
19 protection of further evidence. It's signed
12:06:12 20 Robert Fowlkes.

21 It says the affiant requested. Had
22 you ever looked at that before just now?

23 A. I never noticed that, no, sir.

24 Q. All right, sir.

25 MR. WAIDE: All right. I'll give

1 Counsel an opportunity to redirect based on
2 matters I brought out -- to recross, I
3 mean, based on the matters that I brought
4 out that she says wasn't brought up
5 properly.

6
7 FURTHER EXAMINATION

8 BY MS. LEE:

9 Q. How would you characterize the -- what
10 the deputies faced when they came to the door
11 and Mr. Keeton was standing there with a gun?
12 How would you characterize that?

13 A. I imagine that was a bad, bad feeling.
14 I would have to think that it was. I would
15 think that they were in fear of losing their
16 lives.

17 Q. In an ambush?

18 A. Ambush. I think --

19 Q. From Mr. Keeton to them, correct?

12:07:08 20 A. Correct.

21 Q. Not from the officers to Mr. Keeton?

22 A. Correct.

23 Q. Because Ms. Stegall told you, didn't
24 she, that these -- that they knew these officers
25 were coming, correct?

1 A. She --

2 MR. WAIDE: Speculating.

3 A. She told me that.

4 BY MS. LEE:

5 Q. What did Ms. Keeton -- I mean Ms.

6 Stegall specifically tell you about their

7 knowledge, she and Mr. Keeton, about those

8 officers arriving on the Keeton premises?

9 A. She said the law was out there. They

12:07:32 10 were talking. He says, I'm going to run them

11 off.

12 Q. Okay. And when you came inside the

13 trailer that night, what did you observe in

14 terms of cameras and what Mr. Keeton could see

15 when those officers were arriving?

16 A. He had a video of his property coming

17 down the road. You could see the whole video of

18 it. He could too from where -- if he was laying

19 in bed. I don't know if he was laying in the

12:07:54 20 bed or not. I don't know. I know you could

21 look up there and see it.

22 Q. So this wasn't a situation, as

23 Mr. Waide asked earlier, about someone breaking

24 in your house, was it?

25 A. No.

1 MR. WAIDE: Leading. Object to
2 leading.

3 A. No. It wasn't.

4 BY MS. LEE:

5 Q. How would you characterize this?

6 A. Ask that question again.

7 Q. How would you characterize this? It
8 was -- this wasn't a break-in, wasn't it -- was
9 it, Sheriff Cantrell?

12:08:15 10 A. No, ma'am, it wasn't a break-in. No,
11 ma'am. No.

12 Q. It was an ambush.

13 MR. WAIDE: Object to leading.

14 BY MS. LEE:

15 Q. By Mr. Keeton upon these officers.

16 A. Mr. Keeton made a decision, which it
17 was a bad decision, to come to that door with a
18 gun --

19 Q. Uh-huh.

12:08:30 20 A. -- and firing it. So that's all I can
21 tell you. That's -- and -- and I wasn't around
22 there to see that. That's what the deputies
23 said.

24 Q. What did Sam Mitchell tell you
25 specifically about Mr. Keeton and the firing of

1 the weapon?

2 A. He just said, He -- he shot me. He
3 said, I -- he said up around his neck and then
4 somewhere on his leg. And I see that on the
5 leg. I didn't see nothing about his neck. I
6 said, Well, we -- we need to get you to the ER
7 and -- and get the doctor to check that out.

8 Q. Now, Mr. Waide asked you questions
9 about --

12:09:01 10 A. If it had been a -- thank goodness it
11 wasn't a real gun because if it had, he would be
12 dead today, and probably with some of the other
13 deputies.

14 MR. WAIDE: Object to leading. Move
15 to strike. Not responsive to the question.

16 MS. LEE: I asked -- I asked what --
17 what Mr. Mitchell had told him about being
18 shot. I don't think that was a leading
19 question, but --

12:09:22 20 MR. WAIDE: It's hearsay also, then.

21 BY MS. LEE:

22 Q. You were asked about -- you were asked
23 about any violent acts that you are aware of
24 that Mr. Keeton took. How would you
25 characterize coming to the door with a gun and

1 shooting at deputies? Would that be a violent
2 act?

3 A. Yes, ma'am, it would.

4 Q. Thank you.

5 MS. LEE: I have nothing further.

6 MR. WAIDE: That's all. That's all I
7 have.

8 MS. LEE: Okay.

9 THE VIDEOGRAPHER: We're off record,

12:09:44 10 12:06.

11 (Deposition concluded at 12:09 p.m.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

STATE OF MISSISSIPPI)

COUNTY OF MONROE)

RE: ORAL DEPOSITION OF CECIL CANTRELL

I, Gena Mattison Glenn, CSR 1568, a Notary Public within and for the aforesaid county and state, duly commissioned and acting, hereby certify that the foregoing proceedings were taken before me at the time and place set forth above; that the statements were written by me in machine shorthand; that the statements were thereafter transcribed by me, or under my direct supervision, by means of computer-aided transcription, constituting a true and correct transcription of the proceedings; and that the witness was by me duly sworn to testify to the truth and nothing but the truth in this cause.

I further certify that I am not a relative or employee of any of the parties, or of counsel, nor am I financially or otherwise interested in the outcome of this action.

Witness my hand and seal on this 27th day of January, 2022.

My Commission Expires:
July 19, 2023

CSR 1568
Notary Public